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# COMMISSION OF ANIMAL CONTROL AND WELFARE

## AGENDAS AND MINUTES

1992 – 1994

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MINUTE - NOTES

COMMISSION OF ANIMAL CONTROL AND WELFARE

CANCELLED MEETING

of  
JANUARY 8, 1992

at

CITY AND COUNTY OF SAN FRANCISCO

ANIMAL CARE AND CONTROL DEPARTMENT

DOCUMENTS DEPT.

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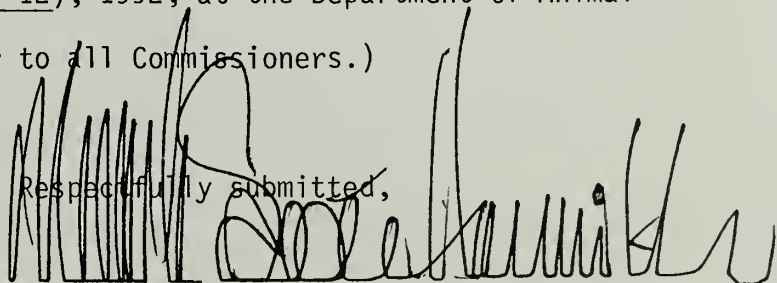
The regular January meeting of the Commission Of Animal Control And Welfare (which would otherwise normally have been convened at 5:30 p.m., on January 8, 1992) was cancelled in order to allow Commissioners desiring to do so to attend the mayoral inauguration celebration scheduled for the same time. All matters on the Commission's January meeting agenda were continued to the Commission's February meeting.

However, Chairperson Hamilton, Vice-Chairperson Donovan and Commissioner Friedman were present at the designated meeting site from 5:00 through 6:00 p.m. to cover the possibility that members of the general public who had not received notice of the meeting's cancellation might appear. None did. The meeting room was closed at 6:00 p.m.

The next monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, FEBRUARY 19 (not February 12), 1992, at the Department Of Animal Care And Control. (See attached letter to all Commissioners.)

Dated: January 9, 1992

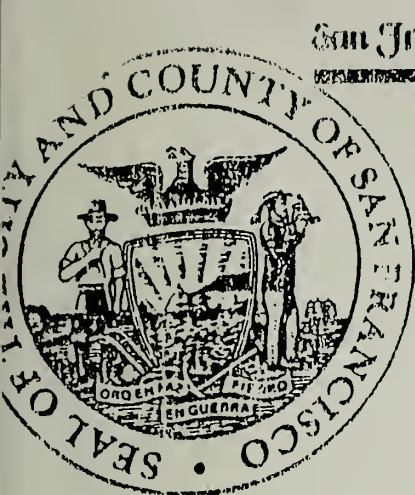
Respectfully submitted,



Mark Scott Hamilton  
Chairperson







San Francisco Commission of Animal Control and Welfare

City Hall  
San Francisco, California 94102  
(415) 552-1898

January 22, 1992

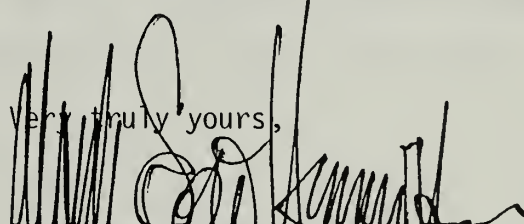
To All Commissioners

Dear Commissioner:

After seeking the sense of all Commissioners immediately available, please note from the enclosed "Minute - Notes" that the Commission's February meeting has been rescheduled for the third Wednesday of February, February 19, at 5:30 at the Department Of Animal Care And Control.

You will also find enclosed copies of the Commission's November and December meeting Minutes.

Very truly yours,

  
Mark Scott Hamilton  
Chairperson

4965:MSH:mm

Enclosures: (As Indicated)



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MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

on

FEBRUARY 19, 1992

at

CITY AND COUNTY OF SAN FRANCISCO

ANIMAL CARE AND CONTROL DEPARTMENT

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular February 19, 1991, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., at the City And County Of San Francisco Animal Care And Control Department.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Debra M. Fila, R.N.; Carl Friedman; Kenneth Gorczyca, D.V.M.; Mark Hurley; Ronald Lippert, A.H.T.; Stan Mahy; Dolly Trauner; and, Nancy Anne Schofield.

Commissioner(s) Absent: Ben Gale, R.E.H.S.

The meeting commenced at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Ten of the eleven Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" was met.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (January 8, 1992) MEETING

The January 8, 1992, meeting was cancelled to allow Commissioners and members of the public to participate in mayoral inauguration festivities. Accordingly, there were no "last meeting" minutes to be approved.

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### ANNUAL MEETING BUSINESS

The regular January Annual Meeting having been deferred until the Commission's February meeting, the Chairperson called upon the informal Nominating Committee (consisting of Commissioners Friedman, Lippert, Trauner, Mahy and Hurley) to deliver their report and nominations for Commission officers for the calendar year ending with the regular January 1993 meeting of the Commission.

Commissioner Friedman reported the Nominating Committee recommendations and nominations as follows:

Chairperson - Mark Scott Hamilton

Vice-Chairperson - Dolores A. Donovan

Secretary - Debra M. Fila, R.N.

The  
/Chair inquired whether there were any further or additional nominations or comments. There were none.

At this point Commissioner Mahy moved that nominations be closed. Commissioner Friedman seconded Commissioner Mahy's motion.

The Nominating Committee's nominations for 1992-93 officers of the Commission were then unanimously approved. The Chair will provide the Clerk of the Board of Supervisors with an appropriate letter notification.

### 3. CHAIRPERSON'S REPORT

There was no Chairperson's report as such. However, because of the large number of persons in the public gallery (62 at initial count) Chairperson Hamilton identified the Commissioners by name, discussed the statutory composition of the Commission and its jurisdictional limitations and circulated the Commission's regular form to be accomplished by any member of the public wishing to be heard in the general discussion part of the meeting.

### 4. COMMITTEE REPORTS

#### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner Mark Hurley, S.F.P.D.)



In deference to the apparently heavy discussion agenda, Commissioner Hurley reported only that he continued to preside over vicious dog hearings and otherwise had no further report.

#### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner Ben Gale, R.E.H.S.)

Due to Commissioner Gale's absense there was no report from the Commission representative of the Department Of Public Health.

#### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman expressed his wish to "pass" as respects his regular monthly report. In this latter regard he deferred to a more detailed report from Deputy Director Kenneth White of the Department Of Animal Care And Control. Mr. White's report is summarized in a 4-page document entitled "MEMORANDUM," dated February 3, 1992, a copy of which is attached to these Minutes, incorporated herein and made part of the meeting proceedings.

#### 4(d) REPORT OF RECREATION AND PARKS DEPARTMENT

(Commissioner Nancy Schofield)

Commissioner Schofield discussed on-going procedures being utilized by the San Francisco Zoo and the "Clean Water" people to assure protection of the Zoo's avian conservation area (which lies in close proximity to the heavy construction work being done as part of the "Clean Water" project).

Commissioner Schofield also presented the Zoo's usual monthly "Animal Data" sheet for the month of January 1992. The aforesaid report consists of 1 page and is attached to these Minutes, its content incorporated herein and made part of the monthly proceeding.

Commissioner Schofield reported that Kangaroo "Joey" is presently being hand-reared with some excitement on the part of all concerned, but reported also the sad news that Giraffe "Cleo" had to be euthanized after her long residence at the Zoo.





5. SPECIALLY CALENDARED MATTERS - HEARINGS

(None)

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Zoo Reorganization. Commissioner Trauner inquired as to developments in the reported reorganization of the San Francisco Zoological Gardens (apparently intended to result in administration by the San Francisco Zoological Society, rather than by the City And County Of San Francisco, which plan had been suggested by Mayor Jordan). Commissioner Schofield committed herself to report concerning developments in this latter regard as they occurred.

Pet Training Areas In Recreation And Parks Department Facilities. Mesdames Sandra Rogers and Martha Hoffman asked Commissioner Schofield whether there exist areas within the jurisdiction of the Recreation And Parks Department which could be utilized for dog obedience training. Commissioner Schofield replied that such inquiries could be addressed to Mr. Ron De Leon of the Department.

At this point Commissioner Schofield was excused to attend upon other City And County business elsewhere.

Vicious Dog Episode. Mr. Ken Worth reported a vicious dog attack which is reported to have occurred on January 28, 1992 on 43rd Avenue between Taraval and Ulloa Streets. He inquired what had been done by the San Francisco Police Department in respect of the matter. Commissioner Friedman reported that upon receipt of the report the Department Of Animal Care And Control dispatched an animal control officer to the scene. A citation was issued to the dog's owner based upon its not being licensed. Commissioner Hurley undertook to be of what assistance he could as respects Mr. Worth's complaint.

Commendation Of Department Of Animal Care And Control. Sam Mendelson, Certified Public Accountant, commended Commissioner Friedman of the Department Of Animal Care And Control for his help in assisting in the rescue of pure-bred dogs.



Feral Cat - Wild Bird Problem In Golden Gate Park (And Other Places). Upon the request and with the foreknowledge of Chairperson Trent Orr of the Recreation And Parks Commission and General Manager Mary Burns of the Recreation And Parks Department, the Commission devoted the balance of the meeting to a public discussion of an on-going problem involving alleged predation of feral cats upon wild birds in Golden Gate Park. Chairperson Hamilton asked that the discussion be broadened to cover all aspects of the feral cat/bird situation within the City And County Of San Francisco, including the situation as it involves Golden Gate National Recreation Area lands (which are not within the jurisdiction of the Commission). The Chairperson reported that he was in touch with Superintendent Brian O'Neill of the National Park Service concerning the situation.

Mrs. Paul Springer (who described herself as a feeder of cats and lover of birds) introduced herself. Mrs. Springer was personally recognized by the Chair as being the wife of former and distinguished Probate Commissioner Paul Springer, and as herself being a person long-devoted to animal humane matters. Mrs. Springer's principal thesis involved the conclusion that every careful attention should be given to any program which might result in the capture and euthanization of feral cats in the City And County parklands, or elsewhere.

Mrs. Joan Bush joined in Mrs. Springer's remarks. She observed that " ... these cats have already been done badly by humans once, and now they face perils ... Euthanization is not the solution ... "

Mr. Frank DuBose of the County Of San Mateo spoke in defense of feral cats. Mrs. Darlene N. Krug of the County Of San Mateo stated that she represented "Friends Of Burlingame Feral Cats." Her thesis was that feral cats can ultimately be domesticated. In all events, the contribution of feral cats to the feral cat/bird problem cannot fairly be characterized as being " ... their (the cats') ... ... fault ... "





Ms. Mary McDonald of the County Of San Mateo said she represented "Friends Of Feral Cats." Her organization's interests were largely devoted to the Peninsula, but extended also to the City And County Of San Francisco. Ms. McDonald feels the problem is largely one of human education as respects the care of animals. She feels there must be any number of " ... humane solutions ... "

Ms. Colette Schmidt of the County Of San Mateo reported that the City Of Bakersfield formerly had some 300 feral cats in its parklands and that a citizens' group has eliminated approximately one-third of those animals by adoption. Euthanization has been resorted to only where absolutely necessary. The number of feral cats in Bakersfield is now down to about 200 animals.

Mr. John Jones of San Francisco presented an articulate and deliberately amusing discussion of his relationship with feral cats over the years in Golden Gate Park. He takes coffee every morning at the Boathouse between 8:30 and 10:00 a.m. He has been a cat feeder for approximately 20 years. Mr. Jones feels that by cutting underbrush and otherwise "tinkering with" park environment park personnel has really precipitated the present problem. Mr. Jones feels that spaying and neutering of feral cats would cut down on feral cat population. Mr. Jones faults various bird-oriented organizations (including the Audubon Society) for its "broadcasts" about the feral cat problem. Mr. Jones estimates that he has known approximately 600 feral cats in his time, having made some 29,200 cat-feeding visits to Golden Gate Park over the years. He also fancies the squirrels in the park. Environmental changes in the park habitat were singled out as the cause for a reduction in the wild bird population.

Mr. Robert Berg identified himself as a biologist assigned to the Fort Miley Veteran's Hospital. Mr. Berg stated that his investigation seemed to support the anecdotal reports of other members of the public who had been heard earlier in the evening. He reported that English research suggests that the diet of feral cats consists largely of mice and insects, with few birds in the nutritional



intake of such animals. He observed that the caloric value of birds in the nutrition of feral cats is reportedly " ... miniscule ... " Mr. Jones feels that habitat destruction in the park is the principal cause of the reduction in its wild avian population. There has been a drought for the last six years. Such dry periods affect all life, including wild bird population.

Ms. Becky Robinson identified herself as a representative of a nationwide organization known as "Alley Cat Allies." She reported that the feral cat situation has escalated nationwide, not just in the City And County Of San Francisco. The national estimate of feral cat population is no less than 60,000. Ms. Robinson feels that the solution to the feral cat problem, if such a problem in fact exists in the City And County Of San Francisco, turns upon a sensible trapping and spay/neuter program.

Commissioner Stan Mahy (who identified himself as also being the San Francisco representative of Pets And Pals) described the organization of which he is a member as being devoted to the spaying, neutering and release of cats, feral and otherwise. Mesdames Vicky Lynn and Gale Caswell were identified by Commissioner Mahy as being in the public gallery and as being members of the Pets And Pals organization.

At the conclusion of discussions concerning the feral cat/bird situation, Chairperson Hamilton remarked that, if necessary, formal hearings would be convened concerning the matter in months following, especially if desired either by the Recreation And Parks Commission, by any other City And County entity, by the Commissioners themselves or by continued public interest in the matter.

#### 7. ADJOURNMENT

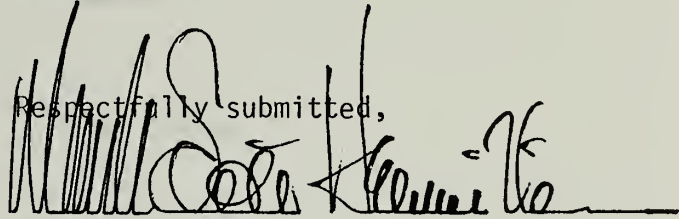
The February 19, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at 7:30 p.m. upon the motion of Commissioner Mahy (seconded by Commissioner Hurley) and upon a unanimous expression of the sense of the Board.



The next regular monthly meeting of the Commission is presently scheduled to be convened at 5:30 p.m. on Wednesday, March 11, at the Department Of Animal Care And Control. (Chairperson Hamilton remarked that the April meeting of the Commission may - after a polling of the sense of the Commissioners - be continued until Wednesday, April 18, at the same time and place.)

Dated: February 20, 1992

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', written over a horizontal line.

Mark Scott Hamilton  
Chairperson





## ANIMAL DATA FOR MONTH OF JANUARY 1992



SAN FRANCISCO  
ZOOLOGICAL  
GARDENS

A DIVISION OF THE  
SAN FRANCISCO  
RECREATION &  
PARK DEPARTMENT

ZOO ROAD  
SAN FRANCISCO  
CALIFORNIA  
4132-1098

PHONE  
415) 753-7080  
FAX  
) 681-2039

BIRTHS AND HATCHINGS

<u>DATE</u>	<u>NUMBER</u>	<u>ANIMAL</u>	<u>COMMENT</u>
1.15.92	0.0.1	Blackbuck	DNS
1.28.92	0.0.1	Slow loris	Aborted

DEATHS

1.29.92	0.1	Slow loris	Died, Pending
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ACQUISITIONSDISPOSITIONS

1.4.92	1.0	King vulture	Safari West
1.9.92	0.1	Mute swan	Safari West
1.9.92	1.0	Jungle fowl	Burt Schneider

LIST OF ABBREVIATIONS USED

1.0.0	MALE
0.1.0	FEMALE
0.0.1	SEX UNKNOWN

0129w





## ANIMAL CARE AND CONTROL DEPARTMENT

CARL FRIEDMAN  
DIRECTOR

1200 15th STREET  
SAN FRANCISCO  
CALIFORNIA 94103  
415/554-6364

### M E M O R A N D U M

DATE: February 3, 1992

SUBJECT: The San Francisco Department of Animal Care and Control is interested in seeking the following legislation.

1. ANIMAL SACRIFICE ORDINANCE Based on model legislation developed by the Humane Society of the United States, the Department seeks legislation which would make it illegal to sacrifice an animal or to own, keep, sell or knowingly provide an animal for sacrifice. Animal sacrifice would be defined as injuring or killing any animal in any religious or cult ritual or as an offering to or propitiation of a deity, devil, demon or spirit wherein the animal has not been injured or killed primarily for food purposes, regardless of whether all or any part of such animal is subsequently killed. The penalty for violation of this ordinance would be a fine of up to \$1,000, imprisonment for up to 6 months, or both.

Similar Acts are currently law in Los Angeles and Florida. The Florida law has stood up to challenge in the United States District Court of Appeals. The San Francisco Department of Animal Care and Control has prepared a legislative packet on this proposed legislation, which includes:

- >The Humane Society of the United States' model legislation;
- >U.S. District Court of Southern Florida's opinion on the constitutional challenge to the Florida legislation;
- >draft and approved copies of the Los Angeles municipal ordinance;
- >various magazine and newspaper clippings regarding similar legislation and on the topic of "Santeria", the most popular religious cult reportedly involved in animal sacrifice.

This packet is available for review from the Department.

2. PERMIT REQUIRED FOR STREET VENDORS/ARTISTS WITH ANIMALS The Department was recently able to successfully modify Section 221.2 of San Francisco Municipal Code Part III, Revenue and Finance/Business Regulations. This ordinance, "Animals Used In Business", requires the Tax Collector to notify the Department prior to issuance or reissuance of a business permit for a pet store or other enterprise which "maintains animals in the course of business." The Department must inspect the facility to see if the owner is in conformity with local ordinances regarding the care of the animals (Article 1 of the Health Code). Issuance or reissuance of the license is dependent upon satisfying the Department's concerns.

The Department now seeks similar authority, either through further modification of this or other ordinance or by means of a new ordinance, to guarantee minimum conditions for animals used by street vendors and street artists. Currently, the Department receives numerous complaints from members of the public





regarding the conditions of animals used by street vendors and street artists. Upon investigation, many of these complaints are quite legitimate; however, the current process of filing misdemeanor animal abuse/neglect charges through the District Attorney's office proves cumbersome and, in most cases, ineffective.

The Department wishes to establish an inspection and administrative process to determine if the conditions under which the animal is kept conform to the provisions of the local and State ordinances and laws and to decide if permission should be granted or denied for an individual street artist/vendor to use or work with an animal.

3. SPAY/NEUTER FOR ANIMALS ADOPTED AT SHELTER Currently, California State law requires that the Department collect a deposit for the spay/neuter surgery of every unaltered dog and cat it adopts (California Food and Agriculture Code sections 30503 [dogs] and 31751 [cats]). Although the Department has a rigorous follow-up program in place to try to enforce the contract for spay/neuter which new adopters sign, we are currently seeing between 55% and 75% compliance with this requirement.

The Department seeks a local ordinance which would make it a misdemeanor for any individual who does not comply with their spay/neuter agreement signed at the time of adoption.

The Department seeks to add the following provision as a new local ordinance or modification to existing local ordinance:

"No dog or cat shall be released for adoption from the City's Animal Shelter without being sterilized or without obtaining a deposit for sterilization and a signed contract whereby the adopter agrees to sterilize the animal within a specified time. It shall constitute a misdemeanor to fail to sterilize any dog or cat adopted from the Animal Shelter within the agreed upon time and the unsterilized animal shall be impounded by the Department of Animal Care and Control. The Department shall elect to either sterilize the impounded animal and return it to the adopter at full cost to the adopter, or shall determine to find a new home or euthanize the animal as it deems appropriate."

This ordinance is similar to a local Marin County ordinance. A copy of this ordinance, along with the above mentioned California Food and Agricultural Code sections, are available for review from the Department.

4. SPAY/NEUTER REQUIRED FOR ANIMALS FOUND AT LARGE MORE THAN TWO TIMES

Currently, Article 1 Section 41.10 of the San Francisco Municipal Health Code allows the Department to charge the owner of any impounded animal a redemption fee of \$15.00 for each dog and \$10.00 for each cat along with a daily fee of \$2.00 for care and feeding. The Department proposes modifying this ordinance to allow for the following.





Upon the second impoundment of an animal, the Department will charge an additional penalty of \$10.00 plus, in the case of unaltered animals, a spay/neuter deposit of \$20.00. The owner of an unaltered animal will sign a contract agreeing to have the animal altered within a set period.

Upon the third and subsequent impoundment of an animal, the Department will charge an additional \$10.00 penalty for each impoundment of the animal. In the case of still unaltered animals, the Department shall arrange to have the animal surgically altered prior to its return to its owner. Any costs associated with this procedure which are in addition to the original \$20.00 deposit collected at the time of the second impoundment will be collected from the owner prior to the redemption.

Such an increasing fee structure has become standard for municipal animal care and control facilities. The mandatory spay/neuter deposit and surgical alteration of animals impounded more than once is based upon legislation in Santa Cruz County. A copy of the Santa Cruz ordinance is available for review.

5. CHARGES AND FEES. The Department seeks to further modify Section 41.10 to better reflect the actual costs of providing the following services.

Redemption fees for all dogs and cats.....\$ 15.00 each  
For feeding and providing ordinary care for animals.....\$ 5.00 per day

6. DISPOSITION OF "WILD AND POTENTIALLY DANGEROUS ANIMALS". San Francisco Municipal Health Code Article 1 Section 50 et. seq. defines "wild and potentially dangerous" animals and prohibits their sale or possession. [Please note that this ordinance does not address aggressive individual domestic pets but, instead, is directed at wild animals not commonly domesticated within the City and County, such as venomous snakes.] The Department wishes to add the following language to this ordinance:

"Any animal seized by the Department of Animal Care and Control which is identified by this ordinance as wild and potentially dangerous immediately becomes the property of the Department and, as such, may be placed, released or euthanized as the Department sees fit."

7. PET STORES/KENNELS REQUIRING "ANIMAL CARE PERMIT". Currently, a Health Department permit is required to operate a pet store or kennel within the City and County. This permit does not address the welfare of the animals maintained by the facility but, instead, addresses only human health and safety concerns such as pest rodent control. The Department considered seeking modification to the existing permit to further address animal welfare concerns; however, the City Attorney has advised instead that a separate permit ordinance would be more consistent with City policies and procedures.



The Department therefore seeks a new ordinance requiring that an "animal care permit" be required for any pet store or kennel prior to commencing operation and that this permit be renewed annually. The permit shall require an on-site inspection by the Department and may be denied, suspended or revoked for cause after a hearing by the Director.

8. DOG LICENSING. The Department seeks to modify the dog licensing ordinances to better conform to state mandated requirement for rabies vaccinations and to make licensing more convenient for the dog owning public. We will pursue a staggered dog licensing program and offer options for one, two and three year renewals. We will propose a modest increase in the fee structure and assume responsibility for the program from the Tax Collector.



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MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE  
MEETING

on  
MARCH 11, 1992

at

CITY AND COUNTY OF SAN FRANCISCO  
ANIMAL CARE AND CONTROL DEPARTMENT

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular March 11, 1992 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., at the City And County Of San Francisco Animal Care And Control Department.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Debra M. Fila, R.N.; Carl Friedman; Mark Hurley; Ben Gale, R.E.H.S.; Stan Mahy; Dolly Traunder; and, Nancy Anne Schofield.

Commissioner(s) Absent: Ronald Lippert, A.H.T.; and, Kenneth Gorczyca, D.V.M.

The meeting commenced at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Nine of the eleven Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" was met.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (February 19, 1992) MEETING

Commissioner Hurley moved that the Minutes of the Commission's February 19, 1992 meeting be approved and accepted as filed. Commissioner Friedman seconded Commissioner Hurley's motion. Vote on the issue was unanimously affirmative (Chairperson abstaining, there being no tie to break). The minutes of the





Commission's regular February 19, 1992 meeting were thereupon unanimously adopted, approved and filed as presented.

### 3. CHAIRPERSON'S REPORT

There was no Chairperson's report as such. However, because of the large number of persons in the public gallery (46 at initial count) Chairperson Hamilton identified the Commissioners by name, discussed the statutory composition of the Commission and its jurisdictional limitations and circulated the Commission's standard regular form to be filled out by members of the public wishing to be heard in the general discussion part of the meeting.

### 4. COMMITTEE REPORTS

#### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner Mark Hurley, S.F.P.D.)

In deference to the expected heavy discussion agenda relating to the Mountain Lake Park swans, Commissioner Hurley reported only that he continued to preside over vicious dog hearings and otherwise had no further report.

#### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner Ben Gale, R.E.H.S.)

In deference to the expected heavy discussion agenda relating to the Mountain Lake Park swans, Commissioner Gale deferred his report until the Commission's April meeting.

#### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman expressed his wish to defer his regular monthly report. In this latter regard he reserved right to submit a detailed report relative to the Mountain Lake Park swans matter during the public discussion on that subject under Agenda Item No. 6.



#### 4(d) REPORT OF RECREATION AND PARKS DEPARTMENT

(Commissioner Nancy Schofield)

Commissioner Schofield's report was passed at her request upon the understanding that her report on behalf of the Zoo as respects the Mountain Lake Park swans matter might be presented as the opening statement in public discussion of that subject under Agenda Item No. 6. Commissioner Schofield also asked that a special report from Zoo Director Anderson be similarly scheduled to precede general public discussion under Agenda Item No. 6. There being no indication of any contrary wish by any other Commissioner present, Commissioner Schofield's said proposals were allowed by the Chairperson.

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

(None)

#### 6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(Devoted To Mountain Lake Park/Swan Issues Only)

The entire balance of the Commission's March meeting was devoted to an open public discussion of matters relating to two swans recently removed by the Recreation And Parks Department (through the offices of the San Francisco Zoo) to Zoo premises for medical treatment and safekeeping after the swans reportedly sustained injuries in their long-time habitat at Mountain Lake Park.

The Chairperson reported that many concerned Offices and Departments of the City And County Of San Francisco - as well as neighborhood groups, the general public, the Society For Prevention Of Cruelty To Animals and the Office of Senator Quentin Kopp - had expressed interest or had otherwise been involved as respects the swan situation. The Chairperson reported in particular that Chairman Trent Orr of the Recreation And Parks Commission had requested that the Commission Of Animal Control And Welfare consider holding an open discussion of the matter in order to allow all points of view to be expressed. The Chairperson reported that



after consultation with Commissioners of this Commission he had agreed to dedicate extensive discussion time for the swan matter.

The Chairperson also reported that it appeared the single objective of all concerned with the matter under discussion was significantly the same for all concerned, that is: to provide the safest and most humane environment for the swans, if possible consistent with their continued exposure to and appreciation by members of the public at Mountain Lake Park.

In limiting the items for discussion, the Chairperson ruled that several items of possible interest concerning the swans be treated as "non-issues" and that little, if any, discussion would be entertained with regard to such non-issues, including the following:

1. Technical ownership of the swans;
2. The adequacy of medical care presently being administered to the swans;
3. The interest and affection of the public in general and the Mountain Lake Neighborhood generally for the swans; and,
4. The willingness of all concerned to attempt to reach an accommodation which would be in the best interest of the swans and the Mountain Lake Park neighborhood.

General discussion was then opened, commencing with a detailed statement by Commissioner Nancy Anne Schofield representing the Zoo and the Recreation And Parks Department and a statement from Zoo Director David Anderson.

Statement Of Commissioner Schofield. Commissioner Schofield reported that the two swans had been resident at Mountain Lake Park for nine to ten years. Their habitat is substantially park land. As Recreation And Park animals, medical care of the swans is within the jurisdiction of the Zoo veterinarian. The Zoo authority had received a number of calls to the effect that the birds were being or had been





harrassed. The reports had to do with suggestions that the animals had been kicked by children, that dogs had been worrying and chasing the birds and that sand and rocks were being tossed at the animals. In receiving these reports and absent contrary information, authorities at the Zoo were required to rely entirely upon the accuracy of neighborhood information.

On November 21, 1991 the Zoo received a report that Swan "Daphne" had been injured in the way of one of its wings. Zoo staff was dispatched to the park. "Daphne" was finally reduced to custody on November 27, 1991, and thereafter taken to the Zoo where it was ascertained that it had sustained a fractured wing. The animal was anesthetized and an open reduction of the fracture was effected. The operation itself was a dangerous one. For a time it was not certain whether "Daphne" would survive the surgery. However, the animal did survive. While "Daphne" was in the Zoo hospital it was tested regularly. Laboratory reports disclosed that "Daphne" was suffering from aspergilosis, an avian disease which is known to be stress-exacerbated to the animal's captivity and surgery. On January 7, 1992 there was further surgery to remove the pin from the injured humerus. "Daphne" is presently "on exhibit" with her long time bond-mate, "Myrtle."

On February 2, 1992, the Zoo received reports to the effect that Swan "Myrtle" had been injured, that its neck was bleeding and that it required medical care. "Myrtle" was captured and taken to the Zoo where careful examination disclosed only a small, already healing, laceration on the left-side of its neck.

Commissioner Schofield reported that " ... the safety of the swans is the bottom line ... " At least at the time of the Commission's March meeting, the Zoo authorities had no final perception as to " ... what goes on at Mountain Lake Park ... " There has been considerable discussion concerning how best to care for the swans in the future. One of the principal problems impacting the issue has to do with the fact that "Myrtle" is bonded to people. It was reared by people and seemingly enjoys the comfort and presence of people. This kind of animal-to-human bonding raises distinct problems as respects the animal's safety

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text suggests that organizations should implement robust systems to track every aspect of their operations, from procurement to sales, to ensure that all data is captured and stored securely.

2. In the second section, the author addresses the challenges of data management in a rapidly changing environment. With the increasing volume of data generated by modern businesses, it becomes crucial to have effective strategies for data storage, retrieval, and analysis. The text highlights the need for scalable solutions that can grow with the organization and provide easy access to the information needed for decision-making.

3. The third part of the document focuses on the role of technology in enhancing operational efficiency. It explores various digital tools and platforms that can streamline processes, reduce errors, and improve overall productivity. The author argues that embracing technology is not just a competitive advantage but a necessity for staying relevant in today's market. Examples of successful implementations are provided to illustrate the potential benefits of digital transformation.

4. The fourth section discusses the importance of continuous learning and development for the workforce. In a world where skills become obsolete quickly, organizations must invest in training and development programs to keep their employees up-to-date with the latest industry trends and technologies. The text suggests that a culture of learning should be fostered, where employees are encouraged to take ownership of their growth and contribute to the organization's success.

5. Finally, the document concludes with a call to action, urging leaders to take a holistic approach to organizational management. It stresses that success is not achieved by focusing on a single aspect of the business but by integrating all elements—financial, operational, technological, and human—into a cohesive strategy. The author encourages leaders to stay agile, adapt to change, and always strive for improvement.

and its well-being. "Daphne" is parent-reared, and the situation as respects "Daphne" is somewhat different from that as respects "Myrtle."

Commissioner Schofield concluded her preliminary outline by reporting that all matters concerning the safety and well-being of the two birds are still fully open to discussion and study.

Report Of Zoo Director David Anderson. Zoo Director David Anderson joined in the foregoing report of Commissioner Schofield. He disclosed that there would be a meeting of the Joint Zoo Committee on March 7 at which matters concerning the swan would be considered " ... from all points of view ... "

Observations, Remarks And Reports Of Commissioners. Commissioner Mahy pointed out that there are other "swan venues" within the City And County in some of which "islands" or floating platforms are provided in the middle of water areas in order to assist in providing a safer habitat for the animals.

Commissioner Schofield remarked that most of the swans at various water venues within the City And County have been pinioned, that is their wings have been fixed to the extent that they are unable to fly. Some of the neighborhood areas with swans even have pens for the birds.

Commissioner Friedman reported as Director for the Department Of Animal Care And Control. As part of his report Commissioner Friedman called upon Animal Control Sergeant Michael Knapp. Sergeant Knapp reported that ~~there~~ was some history of animal problems in the Mountain Lake Park area. Such history as exists is somewhat thin. In January of 1990 the Department Of Animal Care And Control received report that "pit bulls" were being allowed to run loose in the park. Upon investigation the Department located the owner and resolved the loose dog situation. In February of 1990 the Department received reports of " ... abuse of, and rock tossings at, the swans ... " Upon receipt of the February 1990 report the Department patrolled the park with special care, but was unable to locate children who



were allegedly worrying the animals. These intensive patrols continued through the month of May of 1990. There were no subsequent reports until February of 1992 when there were renewed general complaints of swan abuse. Sergeant Knapp reported that the Department not consider Mountain Lake Park as being " ... a problem park ... " in the sense that some other park areas have been and still are.

Commissioner Friedman and Sergeant Knapp reported further that as respects the swans at the Palace Of Fine Arts there had been no dog complaints. A substantial number of injured water fowl (evidently avian types other than swans) had been taken into custody because of injuries and sickness. The causal problems appeared to be basically avian illness, broken wings, broken bills and the consumption of plastic debris. Commissioner Friedman reported that personnel from the Exploratorium had been particularly cooperative and helpful as respects the safety and well-being of swans located at the Palace Of Fine Arts. The Department continues to conduct its patrols in order to assure that dogs are kept in specified areas and that abusive children are in receipt of proper guidance. Commissioner Friedman concluded by stating as follows: "To be perfectly straight-spoken about the matter, there is simply no absolute assurance which the Department Of Animal Care And Control can give the public as to the total safety and well-being of swans resident in any park area ... the best we can do is the best we can do, and we must rely heavily upon neighborhood cooperation from interested members of the general public ... "

There followed a general discussion which lasted approximately two and one-half hours consisting mainly of remarks from various other City And County employees, from members of the general public and from other interested parties, interspersed in which were comments from and observations of various of the Commissioners.

Terry McDonald. Terry McDonald is the Gardener Supervisor assigned to Mountain Lake Park. He loves "Myrtle" and "Daphne" as members of his own family. He is particularly close to "Myrtle." He has seen "Myrtle" five days a week for years. He feeds the swans. There is a feeding problem which arises from the fact







that members of the general public also feed the birds to the effect that they are often overfed. The presence of the swans at Mountain Lake Park is "great public relations" for the park, but their presence is also very important for the benefit received by children and for their aesthetic value. The swans are essentially wild animals and " ... they need to do what they do and cannot be forced into a human mold ... They should be left alone because there are times when the birds need to be alone ... " Gardener Supervisor McDonald wants only what is best for the birds, being himself in some quandary as to what that "best for the birds" may be. He knows of several adverse instances in the last seven to nine years. Mr. McDonald feels that fencing is a "bad idea." He pointed out that many members of the public simply do not know that the United States owns most of the area because it is founded on the north by Presidio lands. Fences are dangerous to flying birds. There were some fences around various water courses in the City And County parkland about 20 years ago, but they were removed because of damage and injury to flying birds. All in all Gardener Supervisor McDonald believes that Mountain Lake Park would be a generally safe area to which the birds could be returned. He expressed his feeling to the effect that danger to the birds from dogs has been " ... way overstated ... " The dog problems are slight. He feels that there is probably " ... no safer place, even at the Zoo or if the birds were out-placed to a private farm ... " He expressed his feeling to the effect that an "island" in Mountain Lake itself posed certain "practical problems."

Commissioner Schofield remarked that fencing is " ... not a big problem as to birds ... The Zoo has fences all over, and there are basically no problems with flying birds ... " The main safety difference at the Zoo is of course the absence of dogs and the immediate attendance upon the animals by knowledgeable animal custodians and care providers.

Zoo Director Anderson expressed his strong feeling that in terms of absolute safety, the Zoo can provide a much safer habitat for the birds, " ... but that is not the only answer to be considered ... "



Deanna McNamara. Mrs. McNamara reported that she represents the Friends Of Mountain Lake Park and has been active in the matter as respects the swans. Mrs. McNamara reported that she had examined the veterinary records at the Zoo hospital. She reported that she had examined the veterinary records at the Zoo hospital. She reported that " ... despite all the hubbub about dangers to "Myrtle" there were no more than the remains of a very small wound ... " The Friends Of Mountain Lake Park want to be certain that all possibilities of keeping the birds at Mountain Lake Park be fully explored before a final decision is made. She expressed her feeling to the effect that the Friends Of Mountain Lake Park, and in general the neighbors in the area, should be fully consulted and fully involved in any such decision because Mountain Lake Park has always provided in every real sense " ... the native environment ... " of the two birds in question and the birds themselves have enhanced the natural beauty of the lake and greatly increased its interest to general members of the public. Mrs. McNamara's remarks were warmly received by the general public in the gallery.

Virginia Handley. Virginia Handley spoke on her own behalf and as a representative of the Fund For Animals. (Ms. Handley was recognized and welcomed by the Chairperson and by all Commissioners as a long-time former member of the Commission Of Animal Control And Welfare.) Ms. Handley spoke to a single issue. It was Ms. Handley's observation that none of the parties concerned should lose track of the fact that " ... these two birds are fully imprinted, not only upon the people in the neighborhood, but on the place where they have lived all their lives ... "

Upon the conclusion of former Commissioner Handley's brief and succinct comments, the Commission delivered into her hands a resolution dated June 12, 1991 commending her for her longtime service to the City And County Of San Francisco and on the Commission and for her lifetime dedication to all creatures large and small. Former Commissioner Handley left the Commission meeting room to a standing expression



of appreciation from the general public, from representatives of the City And County present and from her friends on the Commission.

Helen Liggett. Ms. Liggett described herself as " ... a friend of the swans ... " She has lived a block away from Mountain Lake Park for about 11 years. She has observed "Myrtle" wandering about in street traffic and even crossing Park Presidio Boulevard. Ms. Liggett observed that "Myrtle" is not "our" animal. She pointedly asked " ... how safe is our Mountain Lake Park for the swans ..? "

Sophie Papageorge. Ms. Papageorge described herself as having been interested and involved in zoology and animal work for many years. She expressed her feeling that " ... the record of the swans at Mountain Lake Park is good as compared with the record of animal safety at the Zoo ... " In summary, it was Ms. Papageorge's opinion that the swans should be returned to Mountain Lake Park.

Rich Shrieve. Mr. Shrieve introduced himself as the current President of the Friends Of Mountain Lake Park. His organization has spent thousands of hours in the reforestation and beautification of that park. Mr. Shrieve believes that the birds should be returned to the park and that if that is done " ... their life will not be without risk ... but that the record of the birds at Mountain Lake Park is good ... " It was Mr. Shrieve's expressed desire that his organization be permitted to work with the Zoo and with the Recreation And Parks Department to resolve the swan situation as soon as possible. He assured the Commission that the Friends Of Mountain Lake Park would sponsor and help pay for what needs to be done. His organization will also be pleased to work with the Zoo and with the Recreation And Parks Department to assist in the general education of the public as to the well-being of the birds.

Dorothy Seidel. Ms. Seidel described herself as being a 17-year neighbor of Mountain Lake Park. Ms. Seidel expressed a desire to " ... get to the bottom of the mysterious removal of a third swan ... " Ms. Seidel has seen children attacking







"Myrtle" by tossing stones at the animal. She is basically opposed to fencing. Because of ethnicity peculiar to the Mountain Lake Park area she believes that any signage designed for the humane education of users of the park should be bi-lingual (English-Chinese).

Susanne Barthell. Ms. Barthell introduced herself (and was recognized by members of the Commission) as being a former member of the Zoo Advisory Committee. She addressed herself to statistics as to waterfowl safety at the Zoo. Ms. Barthell stated that in the past eight years 49 wild fowl have died at the Zoo, some 15 of which birds were swans. Ms. Barthell believes that the principal causes of the reduction in swan population have been animal predation, disease and theft. She suggests that the Friends Of Mountain Lake Park may, on the basis of neighborhood volunteers, be able to provide better custodians than even Zoo personnel may be able to do. Ms. Barthell concluded her remarks by stating: "We can all win by putting the birds back in Mountain Lake Park."

Edward Segel. Doctor Segel reported that there are no phones in the park. It is three blocks to the nearest public telephone. Reporting of abuses is difficult for that reason. Doctor Segel questioned the advisability of floating islands as a means of protecting swans in Mountain Lake Park. He emphasized that the birds themselves are extremely smart and have for a number of years avoided all of the many risks as to which they have been subjected - human and otherwise.

Lurella Harris. Ms. Harris was recognized by the Commissioners as a long-time and active participant in public discussions conducted by the Commission and as a person possessing a recognized dedication to animal humane matters. Ms. Harris endorsed the suggestion that a swan-accessible island platform be considered. She also endorsed with her approval the suggestion that any humane education signs should be multi-lingual in character. She further re-iterated Doctor Segel's observation that the particular park area should have public telephones.



Sylvia Stewart. Ms. Stewart rose to speak holding in her arms a three-foot-tall, concrete statue of St. Francis. (Ms. Stewart was recognized by the Commissioners as a member of the public dedicated to animal humane matters and as a contributor in past discussions and studies conducted by the Commission.) Ms. Stewart emphasized that " ... the swans and neighbors are definitely bonded ... The neighbors know these birds ... They should not be out-placed ... Out-placement cannot guarantee safety ... " Ms. Stewart turned to the public gallery and announced to them her willingness to " ... fight like hell for your birds ... " Ms. Stewart's presentation was greeted with applause from the general gallery.

Rudolph Coch. Mr. Coch appeared in the uniform of a City And County Parking Commission meter attendant. He said he was interested in animal matters and that in the course of his duties as an employee of the City And County he had observed "Myrtle's" conduct. He described "Myrtle" as being both "unusual" and "rare ... ... Everybody in the neighborhood loves 'Myrtle' ... However, 'Myrtle' wanders ... ... That is a real problem ... Her safety and welfare should be considered paramount ... But all things considered the safest place for 'Myrtle' is Mountain Lake Park ... That bird needs people, the many different people of Mountain Lake Park ... "

Robert O'Brien. Mr. O'Brien expressed his warm gratitude to Commissioner Schofield and to Zoo authorities for having provided temporary care and protection to the bird. As respects the suggestion by several people to the effect that the swans had on occasion been subjected to dog harrassment, Mr. O'Brien reported that he had inquired of the S.P.C.A. concerning reports of dog attacks and had been advised that there were no such reports. Mr. O'Brien adverted to a letter concerning the swans prepared by the S.P.C.A.

Pamela Rockwell. Ms. Pamela Rockwell was recognized by the Commissioners as a steady attendant at and participant in the meetings of the Commission representing the S.P.C.A. Ms. Rockwell reported that, despite Mr. O'Brien's comments to the contrary, the S.P.C.A. had received on various occasions complaints about loose dogs in Mountain Lake Park. She further reported the opinion of the S.P.C.A. that



the peculiar animal-to-human bonding situation as respects the swans put the swans at substantial risk. If the swans are to be returned to Mountain Lake Park that should only be done on a basis providing " ... adequate protection ... "

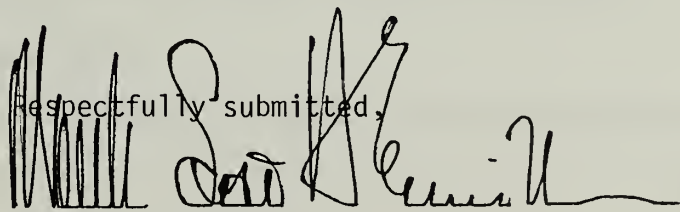
Conclusion Of Discussion. The meeting concluded with a request from Vice-Chairperson Dolores A. Donovan that " ... the Zoo arrive at its specific proposals as promptly as possible, taking into account the safety and the well-being of the animals ... " Vice-Chairperson Donovan's request in the latter regard was directed specifically to Zoo Director Anderson and to Commissioner Schofield. Zoo Director Anderson replied that the Zoo's recommendations would be arrived at promptly and that then the entire matter would be conferenced with all other concerned parties including, but not limited to, the Friends Of Mountain Lake Park. Director Anderson expressed his hope that the Zoo's recommendations would be available by March 19.

#### 7. ADJOURNMENT

The March 11, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at 7:45 p.m. upon the motion of Commissioner Mahy (seconded by Commissioner Friedman) and upon the unanimous expression of the sense of the Board, but only after it was first ascertained that there was no additional public discussion pending.

The next regular monthly meeting of the Commission will be on Wednesday, April 15, at the same time and place.

Dated: March 12, 1992

Respectfully submitted,  
  
Mark Scott Hamilton  
Chairperson







CITY AND COUNTY OF SAN FRANCISCO  
COMMISSION OF ANIMAL CONTROL AND WELFARE

Resolution: IT IS UNANIMOUSLY RESOLVED, upon the motion of Chairperson Mark Scott Hamilton, seconded by Commissioner Carl Friedman, as follows:

WHEREAS, VIRGINIA HANDLEY is a widely-recognized advocate of world-wide animal rights matters in general and of animal humane matters within the City And County Of San Francisco in particular; and,

WHEREAS, VIRGINIA HANDLEY has served with energy and distinction for many successive terms as a Commissioner of this Commission -

Now, therefore, IT IS HEREBY RESOLVED that -

Upon the occasion of her honorable retirement therefrom, VIRGINIA HANDLEY be, and she hereby is, commended for her longtime devotion to and service upon the Commission Of Animal Control And Welfare of the City And County Of San Francisco and that she be remembered by the Commission and by the good people of the City And County Of San Francisco as their friend and as a steadfast friend and as the protector of all living creatures everywhere.

Done this twelfth day of June, 1991.

COMMISSION OF ANIMAL CONTROL AND WELFARE

By \_\_\_\_\_

DEBRA M. FILA, R.N.  
Commission Secretary



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MARK SCOTT HAMILTON  
Chairperson

MARK HURLEY  
Commissioner

DOLORES A. DONOVAN  
Vice-Chairperson

RON LIPPERT, A.H.T.  
Commissioner

CARL FRIEDMAN  
Commissioner

STAN MAHY  
Commissioner

BEN GALE, R.E.H.S.  
Commissioner

NANCY ANNE SCHOFIELD  
Commissioner

KEN GORCZYCA, D.V.M.  
Commissioner

DOLLY B. TRAÜNER  
Commissioner



MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
MEETING

on  
APRIL 8, 1992  
at

CITY AND COUNTY OF SAN FRANCISCO  
ANIMAL CARE AND CONTROL DEPARTMENT

DEPOSITORY ITEM  
MAY 11 1992  
SAN FRANCISCO  
PUBLIC LIBRARY

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular April 8, 1992, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., at the City And County Of San Francisco Animal Care And Control Department.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Secretary Debra M. Fila, R.N.; and, Commissioners Carl Friedman, Stan Mahy and Dolly Trauner.

Commissioner(s) Absent: Vice-Chairperson Dolores A. Donovan; and, Commissioners Kenneth Gorczyca, D.V.M.; Mark Hurley, Ben Gale, Ronald Lippert and Nancy Anne Schofield.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Only five of the eleven Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" was not met, and no official business was transacted.

2. APPROVAL OF THE MINUTES OF THE  
NEXT-PRIOR (March 11, 1992) MEETING

Deferred to May meeting.

3. CHAIRPERSON'S REPORT

(None As Such)





#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner Mark Hurley, S.F.P.D.)

(None due to absence of Commissioner Hurley.)

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner Ben Gale, R.E.H.S.)

(None due to absence of Commissioner Gale.)

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

None due to lack of a quorum. However, Commissioner Friedman expressed concern concerning late arrivals and absences of Commissioners (especially those Commissioners representing departments of the City And County Of San Francisco).

##### 4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Schofield)

(None due to absence of Commissioner Schofield.)

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

(None)

#### 6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Commissioners present discussed on an informal basis the development of a potential public issue as respects continued permission of the Golden Gate National Recreation Area of its longstanding non-leash dog walking policy at the Fort Funston venue of the Area. Discussion on the issue was participated in by Pamela Rockwell, representing the San Francisco Society Of Prevention Of Cruelty To Animals.

The Chair announced that to the extent necessary the Fort Funston situation will comprise a single-issue agenda for the Commission's May 13 meeting, provided the Superintendent of the Golden Gate National Recreation Area (or his chief deputy) can attend.

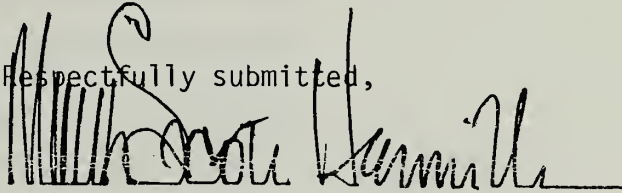


7. ADJOURNMENT

The April 8, 1992 non-quorum meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned with the sense of those Commissioners present at approximately 6:40 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, May 13, 1992, at the Department Of Animal Care And Control

Dated: April 9, 1992

Respectfully submitted,  
  
Mark Scott Hamilton  
Chairperson



SF  
MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
MEETING

Convened On  
MAY 13, 1992

at

CITY AND COUNTY OF SAN FRANCISCO  
ANIMAL CARE AND CONTROL DEPARTMENT  
(Subsequently Adjourned To SPCA)

DOCUMENTS DEPT.

JUN 1 6 1992

SAN FRANCISCO  
PUBLIC LIBRARY

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular March 13, 1992, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., at the City And County Of San Francisco Animal Care And Control Department.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores D. Donovan; Secretary Debra M. Fila, R.N.; and, Commissioners Carl Friedman, Ben Gale, Kenneth Gorczyca, D.V.M., Mark Hurley, Ronald Lippert, Stan Mahy, Nancy Anne Schofield, and Dolly Trauner.

Commissioner(s) Absent: None.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during both aspects of the meeting, that is initially at the Animal Care And Control Department and later when the meeting was adjourned to the SPCA headquarters.

All eleven Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" was fully satisfied.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (April 8, 1992) MEETING

Commissioner Trauner moved approval and filing of the Minutes of the Commission's April 8 meeting. Commissioner Trauner's motion was seconded by





Commissioner Mahy. Vote on the issue was unanimous. The Minutes of the April meeting were accepted and filed without corrections.

3. CHAIRPERSON'S REPORT

(None As Such)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner Mark Hurley, S.F.P.D.)

(Deferred To June Meeting)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner Ben Gale, R.E.H.S.)

(Deferred To June Meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

(Deferred To June Meeting)

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Schofield)

(Deferred To June Meeting)

5. SPECIALLY CALENDARED MATTERS - HEARINGS

(None)

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

The Commission's entire May meeting was devoted to an open public discussion of the off-lead dog walking situation at the Fort Funston venue of the Golden Gate National Recreation Area.

Because between 150 - 175 interested members of the public presented themselves to participate in and listen to the aforesaid community discussion and in order to satisfy fire code requirements, shortly after the meeting was convened the Commission unanimously accepted the gracious invitation of President Richard Avanzino of the SPCA to adjourn the meeting to the headquarters premises of the San Francisco SPCA.



Also present at a special invitation of the Commission and acting in their official capacities were Ranger Jim Milestone of the Golden Gate National Recreation Area, President Richard Avanzino of the San Francisco SPCA and Beverly Lowe of the Palo Alto Humane Society.

Commissioner Carl Friedman (speaking both in his capacity as Director of the Department Of Animal Care And Control and as Commissioner) briefly discussed the longstanding, amicable and effective relationship between various agencies of the City And County Of San Francisco in general (and of the Department Of Animal Care And Control in particular) with the Golden Gate National Recreation Area.

Ranger Jim Milestone appeared as the designated representative of Superintendent Brian O'Neill of the Golden Gate National Recreation Area. He outlined in general terms the off-lead requirements of the Fort Funston area. He stated that the National Park Service estimates that there were over 500,000 visits to the Fort Funston venue yearly. The Golden Gate National Recreation Area is concerned about maintaining the quality and appearance of the area for everyone's use and has in fact been reviewing its dog-use policy. Ranger Milestone reported that he himself had spoken with at least 200 people and that some 300 letters had been posted by the National Park Service to interested persons. He discussed the voice-control aspects of the present off-lead policy and discussed further various considerations for conserving the natural environment of Fort Funston and protecting visitors from unnecessary and sometimes undesirable contacts with dogs being exercised in the Fort Funston area. (At the conclusion of Ranger Milestone's presentation the meeting was moved to the headquarters of the San Francisco SPCA.)

In the public discussion portion of the meeting a great many members of the public in the gallery spoke as respects their views of various issues involved in dog-use at Fort Funston. Only the names of those speakers who had complied with the requirements of the City And County Administrative Code and had presented sign-in cards preliminary to speaking were recorded. Those who, after complying with



provisions of the Administrative Code, spoke on various aspects of the issues were the following: Roger Huppert, David Emirck, Doug Obeid, Beverly Lowe, Morris A. Liston, David Malman, Janet Argevitch, Mort Gensberg, Frank Morales, Edward M. Inaba, Bruce Selby, Carol Belo, Alberta Romanini, Andrew C. Davis and Chaya Gordon.

With leave of the Commission and in the interests of complete discussion coverage, some 30 other members of the public gallery spoke concerning the issues involved. They had not signed-in as participants.

At the conclusion of the discussion Ranger Milestone reported that he would recommend to Superintendent O'Neill that there be no changes made in the present off-lead dogwalking situation at Fort Funston, that more appropriate signage as respects multiple use of the venue would be resorted to and that it was contemplated a group of "Friends Of Fort Funston" would likely be organized to provide input as respects all of the multiple uses of the Fort Funston area.

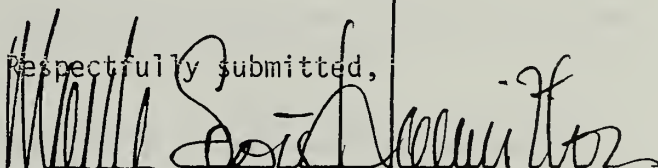
#### 7. ADJOURNMENT

The May 13, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned with the sense of the Commissioners at approximately 8:15 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, June 10, 1992, at the Department Of Animal Care And Control.

Dated: May 14, 1992

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson





MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

Convened On

JUNE 10, 1992

at

CITY AND COUNTY OF SAN FRANCISCO

ANIMAL CARE AND CONTROL DEPARTMENT

DOCUMENTS DEPT.

AUG 10 1992

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular June 10, 1992, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., at the City And County Of San Francisco Animal Care And Control Department.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Deputy Director of Department Of Animal Care And Control Ken White, by designation of Commissioner Carl Friedman; and, Commissioners Kenneth Gorczyca, D.V.M, Ronald Lippert, Stan Mahy and Dolly Trauner.

Commissioner(s) Absent: Secretary Debra M. Fila, R.N.; and, Commissioners Ben Gale, Mark Hurley and Nancy Anne Schofield.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Seven Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" was satisfied.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (May 13, 1992) MEETING

Commissioner Lippert moved approval and filing of the Minutes of the Commission's May 13 meeting. Commissioner Lippert's motion was seconded by Commissioner Mahy. Vote on the issue was unanimous. The Minutes of the May 13 meeting were accepted and filed without corrections.



Excused Absence(s). The absence of Commissioner Nancy Anne Schofield (due to other City And County commitments) was excused upon the motion of Commissioner Donovan, seconded by Commissioner Trauner. Vote on the issue was the affirmative, Commissioner Lippert dissenting.

3. CHAIRPERSON'S REPORT

(None As Such)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner Mark Hurley, S.F.P.D. - Absent)

(Deferred to August Meeting)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner Ben Gale, R.E.H.S. - Absent)

(Deferred To August Meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Deputy Director Ken White, Department Of Animal  
Care And Control For Commissioner Carl Friedman)

(See "Specially Calendared Matters")

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Schofield - Absent)

(Deferred To August Meeting)

5. SPECIALLY CALENDARED MATTERS - HEARINGS

Specially calendared was a presentation by Deputy Director Ken White of the Department Of Animal Care And Control relating to four pieces of amendatory legislation soon to be proposed to the Board Of Supervisors for consideration, as follows:

- (1) Amending Police Code/Section 490 - Article 7: Regulating  
horse riding (see attached copy of "Resolution");



- (2) Amending Health Code/Sections 49 and 51 - Article 7: Relating to prohibiting advertisement for sale of certain animals (see attached copy of "Resolution");
- (3) Amending Revenue And Business Regulations/Sections 215-219, 222-223 and Health Code/Article 1, etc.: Relating to dog licensing and rabies vaccination procedures (see attached copy of "Resolution"); and,
- (4) Amending Health Code/Section 11A.1: Relating to sacrificial use of animals (see attached copy of "Resolution").

Deputy Director White strongly recommended unanimous Commission approval and recommendation of subsequent enactment of the aforesaid ordinance amendments by the Board Of Supervisors.

Commission vote on a Resolution (copy attached) supporting the aforesaid ordinance amendments was as follows:

- (1) Police Code/Section 490 - Article 7 - Ordinance regulating horse riding. Unanimous approval and recommendation upon motion of Commissioner Donovan, seconded by Commissioner Trauner;
- (2) Health Code/Sections 49 and 51 - Article 1 - Relating to advertisement for sale of certain animals. Unanimous recommendation and approval of resolution upon motion of Commissioner Donovan, seconded by Commissioner Trauner;
- (3) Revenue And Business Regulations/Sections 215-219, 222-223 and Health Code/Article 1 - Relating to amendment of ordinances involving dog licensing and rabies vaccination procedures. Recommendation and approval of resolution by affirmative vote of 6 to negative vote of 1 (Commissioner Stan Mahy dissenting)





upon motion of Commissioner Donovan, seconded by Commissioner Trauner; and,

- (4) Health Code/Section 11A.1 - Relating to sacrificial use of animals. Approved unanimously in substance upon motion of Commissioner Lippert, seconded by Commissioner Mahy, with Commissioners Donovan, Trauner and Hamilton agreeing in the Commission's recommendation as to amendment of the ordinance, but expressing concern that insufficient notice may have been provided to and input received from those persons or groups whose religious beliefs might be affected by the proposed amendment.

There was a brief public discussion concerning the proposed amendments, in particular from Ms. Ellen Novodorsky who was concerned with whether the Department Of Animal Care And Control fed live animal food to captured reptiles, hawks and such. Deputy Director Ken White of the Department Of Animal Care And Control assured Mrs. Novodorsky no such "live" feeding is allowed by the Department Of Animal Care And Control, such temporary custodial animals being fed only frozen meat until released or turned over to appropriate State or Federal authorities.

Commissioner Mahy expressed the strong feeling that there should be an ordinance absolutely prohibiting feeding of any live animals to reptiles, and in particular to snakes. Deputy Director White observed that enactment of such an ordinance would effectively "put the California Academy Of Science and the San Francisco Zoological Park out of business." No action was taken on this issue.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None)

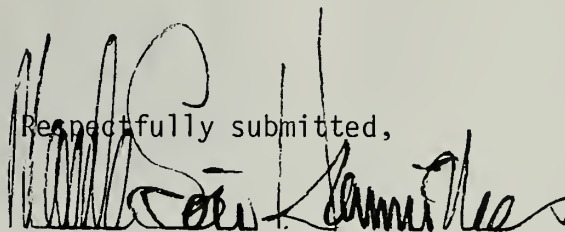
7. ADJOURNMENT

The June 10, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned with the sense of the Commissioners at approximately 7:00 p.m.



The next regular monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, August 12, 1992, at the Education Building at the San Francisco Zoo. (The Commission decided to return this year to its former practice of not meeting in July.)

Dated: June 11, 1992

Respectfully submitted,  


Mark Scott Hamilton  
Chairperson





CITY AND COUNTY OF SAN FRANCISCO  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
Resolution

WHEREAS, at the behest of Supervisor Carole Migden, the City Services Committee of the Board Of Supervisors has calendared on its July 21, 1992 meeting agenda consideration of four separate amendments to several sections of the Municipal Code relating to the use, care, custody, control and well-being of animals, which said four amendments are as follows:

- (1) Police Code/Section 490-Article 7 (referred to hereafter as "Ordinance Regulating Horse Riding," a copy of which proposed amendment is attached hereto as "EXHIBIT A");
- (2) Health Code/Sections 49 and 51 of Article 1 (referred to hereafter as "Ordinance Prohibiting Advertisement For Sale, Etc., Of Certain Animals," a copy of which proposed amendment is attached hereto as "EXHIBIT B");
- (3) Revenue And Business Regulations Sections 215-219, 222-223; Health Code Article 1, etc. (referred to hereafter as "Ordinances Involving Dog Licensing And Rabies Vaccination Procedures," a copy of which





1 proposed amendments is attached hereto as "EXHIBIT  
2 C"); and,

3 (4) Health Code/Section 11A.1 (referred to hereafter as  
4 the "Sacrificial Use Of Animals Ordinance," a copy  
5 of which amendment is attached hereto and marked as  
6 "EXHIBIT D"); and,

7 WHEREAS, at its regular June 11, 1992 meeting a quorum of this Commission  
8 duly considered the aforesaid four proposed amendments to the Municipal Code;  
9 and,

10 WHEREAS, it is the function of this Commission to advise the Board Of  
11 Supervisors as respects matters relating to the use, care, custody, control  
12 and well-being of animals within the City And County Of San Francisco -

13 Now, therefore, IT IS HEREBY RESOLVED that -

14 1. As To Amendment To The "Ordinance Regulating  
15 Horse Riding" - This Commission unanimously recommends  
16 enactment of the amendment proposed by Supervisor Migden,  
17 a copy of which is attached hereto as "EXHIBIT A";

18 2. As To The "Ordinance Prohibiting Advertisement  
19 For Sale, Etc., Of Certain Animals" - This Commission  
20 unanimously recommends enactment of the amendment proposed  
21 by Supervisor Migden, a copy of which is attached hereto  
22 as "EXHIBIT B";

23 3. As To Amendment To The "Ordinance Involving Dog  
24 Licensing And Rabies Vaccination Procedures" - This Com-  
25 mission recommends enactment of the amendment proposed by  
26 Supervisor Migden, a copy of which is attached hereto as  
27 "EXHIBIT C" (one Commissioner dissenting therefrom because  
28 he is opposed to mandatory vaccination); and,

29 4. As To Amendment Of The "Sacrificial Use Of Animals  
30 Ordinance" - This Commission unanimously recommends enact-  
31 ment of the amendment proposed by Supervisor Migden, a copy  
32 of which is attached hereto as "EXHIBIT D".



1                    Caveat: Three Commissioners (the Chair, Vice-  
2                    Chair and a public-at-large Commissioner) approved the  
3                    said ordinance in the form presented, provided the City  
4                    Services Committee gives specific notice of its July 21  
5                    hearing to persons and organizations known to be  
6                    interested in the conduct of animal sacrifice and general  
7                    notice to the public in the normal form.

8                    Done this 11th day of June, 1992.

9                    COMMISSION OF ANIMAL CONTROL AND WELFARE

10                    BY Mark Scott Hamilton

11                    Mark Scott Hamilton  
12                    Chairperson

13  
14                    Routing: Original To - City Services Committee  
15                    Board Of Supervisors

16                    Copies To - Supervisor Carole Migden  
17                    All other Supervisors  
18                    Clerk, Board Of Supervisors



1 (Riding of Horses)

2 AMENDING ARTICLE 7 OF THE SAN FRANCISCO POLICE CODE BY AMENDING  
3 SECTION 490 TO AUTHORIZE DEPUTY ANIMAL CONTROL OFFICERS OF THE  
4 DEPARTMENT OF ANIMAL CARE AND CONTROL TO ENFORCE THE PROVISIONS OF  
5 THIS SECTION.

6 NOTE: Additions or substitutions are underlined;  
7 deletions are in ((double parentheses)).

8 Be it ordained by the people of the City and County of San Francisco:

9 Section 1. The San Francisco Police Code is hereby amended by  
10 amending Section 490 to read as follows:

11 SEC. 490. REGULATING RIDING OF HORSES IN PUBLIC PLACES.

12 (a) Use and Place Designated. No person shall ride, drive or  
13 lead a horse unattached to a vehicle, for any purpose other than in  
14 the pursuit of a business or occupation, parade, show or similar  
15 exhibition for which a permit has been obtained under the provisions  
16 of this Code, in any public place in the City and County of  
17 San Francisco, except as hereinafter set forth in this Section:

18 (1) Upon unoccupied portions of the public beaches;

19 (2) Upon bridle trails and other equestrian paths  
20 designated for such purpose under the provisions of the Charter and  
21 Municipal Code of said City and County;

22 (3) Upon public roads, streets or highways when  
23 necessarily used for the sole purpose of entering or leaving such  
24 bridle trails, equestrian paths, or public beaches;

25 / / /

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EXHIBIT  
A





1 (4) Upon public roads, streets or highways when  
2 necessarily used in proceeding directly to or from a parade, show or  
3 similar exhibition, as hereinabove set forth, when engaged as a  
4 participant therein.

5 (b) Manner of Use. No person shall ride, drive or lead a  
6 horse as provided in Subdivision (a) of this Section:

7 (1) At a pace faster than a slow canter when passing any  
8 horse proceeding in the same direction, or at a pace faster than a  
9 walk when passing any horse standing or proceeding in the opposite  
10 direction;

11 (2) At a pace faster than a walk upon any pavement or  
12 crossing;

13 (3) At a pace faster than is reasonable or prudent having  
14 due regard for the traffic on, and the surface and width of, the  
15 ground being traversed, and in no event at a rate of speed which  
16 endangers the safety of persons, animals or property at any other  
17 time or place permitted in this Section;

18 (4) While intoxicated.

19 (c) Two or More Riders. Two or more persons shall not ride  
20 any such horse simultaneously.

21 (d) Necessary Control. Any police or ((humane)) deputy  
22 animal control officer may demand custody of any such horse in the  
23 event the person having charge thereof fails or refuses to exercise  
24 control necessary for the safety of such horse, rider or any other  
25 person, animal or property. Such horse so taken into custody may be



1 returned to its stable or impounded as if running at large. Refusal  
2 of any such person to exercise such control shall constitute a  
3 violation of this Section.

4 (e) Enforcement. The Chief of Police and ((humane)) deputy  
5 animal control officers duly appointed by The San Francisco  
6 ((Society for the Prevention of Cruelty to Animals)) Department of  
7 Animal Care and Control shall enforce the provisions of this Section.

8 (f) Penalty. Each and every act which is a violation of any  
9 of the provisions of this Section shall be deemed a misdemeanor.

10 APPROVED AS TO FORM:

11 LOUISE H. RENNE  
12 City Attorney

13  
14 By   
15 Deputy City Attorney

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23 SUPERVISOR MIGDEN

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(Wild and Dangerous Hybrids)

AMENDING ARTICLE 1 OF THE SAN FRANCISCO HEALTH CODE BY AMENDING SECTIONS 49 AND 51 TO PROHIBIT ADVERTISEMENT FOR SALE OF ANY WILD AND POTENTIALLY DANGEROUS ANIMAL, AMENDING THE DEFINITION THEREOF TO INCLUDE WOLF DOGS, COYDOGS, OTHER COYOTE-DOG HYBRIDS AND OTHER HYBRIDS OF WILD WITH DOMESTIC ANIMALS AND DEFINING A PRIMA FACIE VIOLATION THEREOF AND BY ADDING SECTION 51.1 GRANTING THE DEPARTMENT OF ANIMAL CARE AND CONTROL DISCRETION TO IMMEDIATELY DISPOSE OF ANY WILD AND POTENTIALLY DANGEROUS ANIMAL SEIZED.

NOTE: Additions and substitutions are underlined; deletions are in ((double parentheses)); Section 51.1 is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Health Code is hereby amended by amending Section 49 to read as follows:

SEC. 49. SALE OF CERTAIN ANIMALS PROHIBITED; ADVERTISEMENT AS PRIMA FACIE VIOLATION.

(a) Those species of animals as the Board of Supervisors may designate by ordinance may not be sold or advertised for sale within the territorial limits of the City and County of San Francisco; provided, however, that the following animals shall not be prohibited; psittacine birds, canaries, finches, fish, turtles, hamsters, domestic dogs, domestic cats, domestic rats, domestic mice, and guinea pigs.

(b) Nothing in this Section shall prohibit City Departments, recognized educational institutions, licensed clinical laboratories,

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EXHIBIT  
B





1 or medical research facilities which are in conformity with State or  
2 Federal laws from taking title to or possessing animals the sale of  
3 which may be prohibited by ordinance as specified above.

4 (c) Prima Facie Violation. Any claim or advertisement that  
5 an animal is any of the animals defined in Section 51 of this  
6 Article, including a wolf dog, coydog, other coyote-dog hybrid or  
7 other hybrid of a wild with a domestic animal, shall constitute prima  
8 facie evidence of a violation of this Section.

9 Section 2. The San Francisco Health Code is hereby amended by  
10 amending Section 51 to read as follows:

11 SEC. 51 DEFINITION OF "WILD AND POTENTIALLY DANGEROUS  
12 ANIMAL". For purposes of Sections 50 through 66, a wild and  
13 potentially dangerous animal is defined as an animal which is wild by  
14 nature and not customarily domesticated in the City and County of San  
15 Francisco, or is a cross-breed or hybrid of such an animal, and  
16 which, because of its size, disposition, or other characteristics  
17 could constitute a danger to human life or property. Such wild and  
18 potentially dangerous animals shall be deemed to include, but not be  
19 limited to:

20 I. Class Mammalia

21 A) Order Carnivora

22 1. Family ((Candidae)) Canidae (dog), excepting Canis  
23 Familiaris (domestic dog), and including but not limited to such  
24 members as the wolf, the coyote, ((and)) the jackal and any wolf dog,  
25 coydog, or other coyote-dog hybrid.



1           2.     Family Felidae (cat), including but not limited to such  
2 members as the tiger, the jaguar, the leaopard, the lion, the  
3 cheetah, the ocelot and the cougar, excepting Felix Cattus (domestic  
4 cat).

5           3.     Family Hyenidea (Hyena).

6           4.     Family Ursidae (bear).

7           B.     Order Probscidea (elephant).

8           C.     Order Primata (primates), including but not limited to the  
9 chimpanzee; the baboon, the orangutan, the gibbon, and the gorilla,  
10 excepting the Family Hominidae (man).

11          D.     Order Artiodactyla, even-toed hoofed mammals, excluding the  
12 domesticated species of the Family Suidae (domestic pig) and Family  
13 Bovidae (cattle, sheep, goats).

14          E.     Order Perissodactyla, odd-toed hoofed mammals, excluding  
15 the domesticated species of the Family Equidae (horses, donkeys, etc.)

16           II.    Class Reptillia

17          A.     Order Squamata

18           1.     Sub-Order Serpentes, all front and rear fanged venomous  
19 snakes and all species of the Families Boidae and Pythonidae.

20           2.     Sub-Order Lacertilia, both venomous species of the Family  
21 Helodermatidae (Gila monster and Mexican beaded lizard).

22          B.     Order Crocodilia (crocodile and alligator).

23           III.   Any other species of the animal kingdom (as opposed to  
24 vegetable or mineral) which is venomous to human beings whether its

25          / / /



1 venom is transmitted by bite, sting, touch or other means, except the  
2 honey-producing bee.

3 Section 3. The San Francisco Health Code is hereby amended by  
4 adding Section 51.1 thereto to read as follows:

5 SEC. 51.1 DISPOSITION OF WILD AND POTENTIALLY DANGEROUS ANIMAL.  
6 Within 24 hours of receiving into its custody any animal seized by an  
7 officer of that department or by any law enforcement officer and  
8 identified as a wild and potentially dangerous animal within the  
9 definitions contained in Section 51 of this Article, the Department  
10 of Animal Care and Control shall have authority to place, release or  
11  euthanize said animal as determined appropriate by and upon approval  
12 from its Director.

13  
14 Approved as to Form:  
LOUISE H. RENNE, City Attorney

15  
16 By: 

17 Deputy City Attorney  
18  
19  
20  
21  
22

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1 (Dog Licenses)

2 AMENDING THE SAN FRANCISCO MUNICIPAL CODE PART III (REVENUE AND  
3 BUSINESS REGS.) BY DELETING SECTIONS 215 THROUGH 219 AND 222 TO 223  
4 INCLUSIVE AND AMENDING ARTICLE 1 OF THE SAN FRANCISCO HEALTH CODE BY  
5 ADDING SECTIONS 41.15 THROUGH 41.25 THERETO, TO REQUIRE EVERY PERSON  
6 OWNING, KEEPING AND CONTROLLING ANY DOG OVER THE AGE OF FOUR MONTHS  
7 TO VACCINATE SAID DOG AGAINST RABIES AND TO OBTAIN A LICENSE FOR  
8 SAID DOG REQUIRING EVERY PERSON PROCURING A YOUNG DOG FROM ANY  
9 ANIMAL SHELTER TO OBTAIN CERTIFICATE FOR SAID YOUNG DOG AND SETTING  
10 FORTH EXCEPTIONS AND PENALTIES.

11 NOTE: Additions or substitutions are underlined;  
12 deletions are in ((double parentheses)).  
13 Sections 41.15 through 41.26 of the Health  
Code are new.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The San Francisco Municipal Code Part III (Revenue  
16 and Business Regs.) is hereby amended by deleting Sections 215  
17 through 219 in their entirety as follows:

18 ((SEC. 215. DOGS; DOG LICENSE FEE; LATE CHARGE FOR DOG  
19 LICENSE. It shall be unlawful for any person who owns, keeps or has  
20 control of any dog to fail to obtain a current San Francisco license  
21 for such dog each fiscal year as herein provided.

22 (a) Every person owning, keeping or having control of any dog  
23 over the age of four months within the City and County of  
24 San Francisco shall each fiscal year, pay a annual fee of \$12 for  
25 each dog so owned, kept or controlled. Such dog license shall be

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EXHIBIT C



1 for the current fiscal year or any part thereof during which any  
2 such dog is so owned, kept or controlled, and shall be payable in  
3 advance. In the event a certificate is presented from a licensed  
4 veterinarian stating that said dog has been spayed or neutered, said  
5 license fee shall be in the amount of \$6 for each fiscal year.

6 (b) The following exceptions apply to the fees set forth in  
7 Paragraph (a):

8 (1) 50 percent of the applicable fee in Paragraph (a) for a  
9 first-time license.

10 (2) If the owner of a dog is 65 years of age or older, the  
11 license fee for each dog shall be \$2.

12 (c) A late charge of \$5 shall be assessed for failure to  
13 obtain a current San Francisco dog license before September 1st of  
14 any year, except that no late charge will be assessed if the  
15 applicable license fee is paid within 30 days after such dog first  
16 becomes owned, kept or controlled by a person, or if the applicable  
17 license fee is paid within 30 days after the person owning, keeping  
18 or controlling such dog moves into the City and County of  
19 San Francisco. Proof of eligibility for exemption from the late  
20 charge shall be the responsibility of the person applying for the  
21 license.))

22 ((SEC. 216. CERTIFICATE TO OWNER. Upon the payment of such  
23 dog license or cat registration fee, the Tax Collector shall issue a  
24 certificate stating the fiscal year for which such license or  
25 registration fee is paid, the date of payment, the name, residence

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1 address, and telephone number of the person to whom such license is  
2 issued, the name, breed and sex of the dog or cat licensed or  
3 registered, and the number of the license or registration tag  
4 hereinafter provided for. Such certificate shall be delivered to  
5 the person paying such license or registration fee and duplicates  
6 thereof shall be delivered to the Animal Control Officer. All such  
7 duplicates shall be kept in the office of the Animal Control Officer  
8 as part of the records thereof during the fiscal year for which the  
9 same are issued. Said certificate shall not be transferrable from  
10 dog to dog, cat to cat, or from owner to owner.

11 The Tax Collector shall at the same time issue and deliver to  
12 the person paying such license or registration fee a metal tag of  
13 such form and design as the Purchaser of Supplies and the Animal  
14 Control Officer shall designate, with the words "San Francisco Dog  
15 License" or "San Francisco Cat Tag" and a serial number and the  
16 fiscal year for which issued plainly inscribed thereon. The owner  
17 or person having control or possession of the dog or cat for which  
18 said license or registration fee has been paid, and such tag issued,  
19 shall attach such license tag or registration tag to a collar around  
20 the neck of the cat or dog, or otherwise adequately secure such  
21 tag.))

22 ((SEC. 217. REMOVAL OF TAG PROHIBITED. It shall be unlawful  
23 for any person to remove any such tag from any dog or cat not owned  
24 by him or not lawfully in his possession or under his control, or to  
25 place on any dog or cat any such license or registration tag not

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1 issued as above provided for the particular dog or cat for the then  
2 current fiscal year, or to make or to have in possession or to place  
3 on a dog or cat any counterfeit or imitation of any license or  
4 registration tag provided for in Section 215 or 219, inclusive, of  
5 this Article.))

6 ((SEC. 218. DUPLICATE LICENSE OR REGISTRATION TAG ISSUED. If  
7 any license or registration tag shall be lost or stolen, the person  
8 owning, possessing, or having control of the dog or cat for which  
9 the same was issued shall be entitled to receive a duplicate of such  
10 tag by presenting to the Tax Collector the original certificate  
11 showing ownership of said tag or subscribing to an affidavit  
12 sufficiently showing that such tag was lost or stolen. The Tax  
13 Collector, upon payment of \$1 shall issue a properly numbered  
14 duplicate tag, and shall keep on file in his office the original  
15 affidavit upon which duplicate tag was issued.

16 If any license or registration tag is not received due to the  
17 United States Mail within 30 days afterpayment of fees, the person  
18 owning, possessing, or having control of the dog or cat for which  
19 the said tag was issued shall be entitled to receive a duplicate of  
20 said tag by presenting to the Tax Collector the original certificate  
21 showing ownership of said tag or subscribing to an affidavit  
22 sufficiently showing that said tag was not received due to the  
23 United States Mail within 30 days. The Tax Collector, without  
24 additional fee, shall issue a properly numbered tag, and shall keep

25 / / /

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1 on file in his office the original affidavit upon which the  
2 duplicate tag was issued.))

3 ((SEC. 219. EXCEPTIONS. (a) The provisions of Sections 215  
4 to 218, inclusive, of this Article shall not apply to any of the  
5 following:

6 (1) Dogs or cats owned or in the custody of or under the  
7 control of persons who are nonresidents of the City and County, or  
8 temporarily sojourning therein for a period not exceeding 30 days,

9 (2) Dogs or cats brought to said City and County exclusively  
10 for the purpose of entering the same in any dog or cat show or  
11 exhibition, and which are actually entered in and kept at such show  
12 or exhibition,

13 (3) Dogs or cats owned by nonprofit zoological gardens open  
14 to the public,

15 (4) Dogs or cats owned by duly incorporated and qualified  
16 organizations and societies for the humane treatment and prevention  
17 of cruelty to animals,

18 (5) Dogs or cats owned by pet shops, circuses, animal  
19 exhibits, and other enterprises maintaining animals which have been  
20 granted business licenses and kennel licenses by the City and County,

21 (6) Dogs or cats used for teaching or diagnostic purposes or  
22 research in conformity with State or Federal laws.

23 (b) No license fee shall be levied for any dog license issued  
24 for any of the following:

25 / / /

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1 (1) A professionally trained and certified guide dog owned by  
2 or in the custody of a blind or partially blind person,

3 (2) A signal dog owned by or in the custody of a deaf person  
4 or person whose hearing is impaired. A "signal dog" shall mean any  
5 dog trained to alert a deaf person, or a person whose hearing is  
6 impaired, to intruders or sounds, as defined in Section 54.1 of the  
7 California Civil Code,

8 (3) A service dog owned by or in the custody of a physically  
9 handicapped person. A "service dog" shall mean any dog individually  
10 trained to the physically disabled participant's requirements  
11 including, but not limited to, minimal protection work, rescue work,  
12 pulling a wheelchair, or fetching dropped items, as defined in  
13 Section 54.1 of the California Civil Code.))

14 Section 2. The San Francisco Municipal Code Part III (Revenue  
15 and Business Regs.) is hereby amended by deleting Sections 222 and  
16 223 in their entirety as follows:

17 ((SEC. 222. ENFORCEMENT. It shall be the duty of the Animal  
18 Control Officer and every police officer while on duty to enforce  
19 the provisions of Sections 215 to 222, inclusive, of this Article  
20 requiring owners of dogs to obtain a license for same.))

21 ((SEC. 223. PENALTIES. Any person violating the provisions  
22 of Sections 217 or 221 of this Article shall be deemed guilty of a  
23 misdemeanor, and upon conviction thereof shall be punishable by a  
24 fine of not more than \$500 or imprisonment in the County Jail for  
25 not more than six months or by both such fine and imprisonment.

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1 Any person violating the provisions of Section 215 of this  
2 Article shall be deemed guilty of an infraction and upon conviction  
3 thereof shall be punishable by a fine of not less than \$25 nor more  
4 than \$50.))

5 Section 3. The San Francisco Health Code is hereby amended by  
6 adding Sections 41.15 through 41.25 thereto to read as follows:

7 SEC. 41.15. DOGS; DOG LICENSE FEE LICENSING REQUIREMENT;  
8 FEES; TERM OF LICENSE. It shall be unlawful for any person to own,  
9 keep or have control of any dog without having obtained a current  
10 San Francisco license for such dog, which license shall be renewed  
11 no later than thirty days after the date of expiration, as herein  
12 provided.

13 (a) Every person owning, keeping or having control of any dog  
14 over the age of four months within the City and County of  
15 San Francisco shall within thirty days after the dog attains the age  
16 of four months or within thirty days of obtaining the dog, obtain a  
17 current license for each dog so owned, kept or controlled.

18 (b) New residents shall have thirty days in which to acquire  
19 a current San Francisco license for each dog owned, kept or  
20 controlled within the City and County of San Francisco.

21 (c) Such dog license shall be issued upon payment, in  
22 advance, of a license fee and upon satisfactory proof of antirabies  
23 vaccination and shall be valid for a specified term from the date of  
24 issuance, all as provided in Section 41.18. The applicable fees  
25 shall be set by the Director of the Department of Animal Care and

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1 Control, subject to the exceptions set forth herein, and approved by  
2 resolution of the Commission of Animal Control and Welfare. Fees  
3 for partial-term licenses for less than a twelve-month period will  
4 be pro-rated on a monthly basis. A schedule of said license fees  
5 shall be posted conspicuously on the premises of the Department of  
6 Animal Care and Control and in the office of the Tax Collector, or  
7 other agency charged with the collection of said fees.

8 (d) Licenses issued under prior existing dog licensing  
9 ordinances of the City and County shall remain valid until  
10 expiration.

11 SEC. 41.16. REDUCTION IN FEE - SPECIAL CIRCUMSTANCES. The  
12 following reductions in the fees provided for in Section 41.15(c)  
13 shall be available under the following circumstances:

14 (1) For each dog neutered or spayed in accordance with this  
15 Article, the license shall be 50 percent of the applicable fee.

16 (2) If the owner of a dog is 65 years of age or older, the  
17 license fee shall not exceed \$5.

18 SEC. 41.17. FEEES - LATE PAYMENT PENALTY.

19 (a) A late charge shall be assessed for failure to obtain a  
20 current San Francisco dog license or to renew any expired license  
21 within any of the time limitations set forth in Section 41.15 of  
22 this Article. Any such late charge shall be in addition to the  
23 applicable license fee and shall be payable at the time of issuance.

24 / / /

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1           SEC. 41.18. VACCINATION REQUIRED FOR LICENSE.

2           (a) So long as the State of California has declared the City  
3 and County of San Francisco to be a rabies-endemic county, it shall  
4 be a requirement that every person owning, keeping or controlling a  
5 dog over the age of four months within the City and County of  
6 San Francisco shall at all times have procured current vaccination  
7 of the dog by a licensed veterinarian with an approved canine  
8 antirabies vaccine. :

9           (b) Upon proof of a current antirabies vaccination, a license  
10 may be issued pursuant to this Article for any period not to exceed  
11 thirty-six months or three years. However, the license period shall  
12 in no event exceed the remaining period of validity of the animal's  
13 current antirabies vaccination.

14           SEC. 41.19. YOUNG DOG CERTIFICATE.

15           (a) Every resident of the City and County of San Francisco  
16 who procures a young dog over the age of two months from any animal  
17 shelter shall register such dog with the Department of Animal Care  
18 and Control, Tax Collector or other agency authorized to issue said  
19 certificate. Upon payment of a deposit equivalent to the amount of  
20 a license fee set pursuant to Section 41.15 of this Article, the  
21 owner of the young dog shall be issued a temporary identification  
22 tag and young dog certificate. The certificate shall be valid until  
23 the dog attains the age of four months, or has received an  
24 antirabies vaccination, whichever occurs first. Upon expiration of  
25 the certificate, the Tax Collector will notify the owner that the

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1 certificate has expired and upon satisfactory proof that the dog has  
2 been vaccinated in compliance with Section 41.18 of this Article,  
3 the owner is shall be provided with a valid license for said dog as  
4 provided in this Article.

5 (b) If an owner fails to procure a license within one  
6 (1) month after the expiration of the young dog certificate, the  
7 deposited license fee shall be forfeited and the owner shall be --  
8 deemed to be in violation of Section 41.15 of this Article.

9 SEC. 41.20. CERTIFICATE TO OWNER. (a) Upon the payment of a  
10 dog license or cat registration fee, the owner of the animal shall  
11 obtain from the Tax Collector or other authorized agency a  
12 certificate stating (1) the period for which such license or  
13 registration fee is to be paid, (2) the date of payment, (3) the  
14 name, residence address, and telephone number of the person to whom  
15 such license is issued, (4) the name, breed and sex of the dog or  
16 cat licensed or registered, (5) the number of the license or  
17 registration tag issued as provided for in this Article, and (6) a  
18 statement whether the animal has been spayed or neutered. Such  
19 certificate shall be delivered to the person paying such license or  
20 registration fee and duplicates or records thereof shall be  
21 delivered to the Department of Animal Care and Control. All such  
22 duplicates and records shall be kept in the office of the Department  
23 of Animal Care and Control until the registration or certificate  
24 expires. The Tax Collector shall periodically provide the

25 / / /

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1 Department of Animal Care and Control with updated information  
2 regarding current registrations.

3 (b) The certificates and tags described in this section shall  
4 not be transferable from dog to dog, cat to cat, or from owner to  
5 owner.

6 (c) At the same time that the Tax Collector issues the  
7 certificate pursuant to this section, he or she shall also issue and  
8 deliver to the person paying such license or registration fee a  
9 license tag of such form and design as the Department of Animal Care  
10 and Control shall designate, with the words "San Francisco Dog  
11 License" or "San Francisco Cat Tag" and a serial number.

12 (d) The owner or person having control or possession of the  
13 dog or cat for which said license or registration fee has been paid,  
14 and such tag issued, shall attach such license tag or registration  
15 tag securely to a collar around the neck of the cat or dog, or  
16 otherwise adequately secure such tag. License tags shall be  
17 securely displayed upon dogs at all times, except when the dog is  
18 confined to the owner's premises or displayed in any show or  
19 exhibition.

20 SEC. 41.21. REMOVAL OF TAG PROHIBITED. It shall be unlawful  
21 for any person to remove a license tag from any dog or cat not owned  
22 by him or her or not lawfully in his or her possession or under that  
23 person's control, or to place on any dog or cat any such license or  
24 registration tag not issued as above provided for the particular dog  
25 or cat, or to make or to have in possession or to place on a dog or

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1 cat any counterfeit or imitation of any license or registration tag  
2 provided for in Section 41.20 of this Article.

3 SEC. 41.22. DUPLICATE LICENSE OR REGISTRATION TAG ISSUED. If  
4 any license or registration tag shall be lost or stolen, damaged or  
5 illegible, the person owning, possessing, or having control of the  
6 dog or cat for which the same was issued shall be entitled to  
7 receive a duplicate of such tag by presenting to the Tax Collector,  
8 the damaged tag, the original certificate showing ownership of said  
9 tag or subscribing to an affidavit sufficiently showing that such  
10 tag was lost or stolen. Upon payment by the owner of a replacement  
11 fee, to be set according to Section 41.15 of the Article, the Tax  
12 Collector shall issue a properly numbered duplicate tag, and shall  
13 keep on file in his office the original affidavit upon which the  
14 duplicate tag was issued.

15 If any license or registration tag is not received due to the  
16 United States Mail within 30 days afterpayment of fees, the person  
17 owning, possessing, or having control of the dog or cat for which  
18 the said tag was issued shall be entitled to receive a duplicate of  
19 said tag by presenting to the Tax Collector the damaged tag, the  
20 original certificate showing ownership of said tag or subscribing to  
21 an affidavit sufficiently showing that said tag was not received due  
22 to the United States Mail within 30 days. The Tax Collector,  
23 without additional fee, shall issue a properly numbered tag, and  
24 shall keep on file in his office all original affidavits upon which  
25 duplicate tags were issued.

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1 SEC. 41.23. EXCEPTIONS. (a) The provisions of Sections  
2 41.15 to 41.22 inclusive, of this Article shall not apply to any of  
3 the following:

4 (1) Dogs or cats owned or in the custody of or under the  
5 control of persons who are nonresidents of the City and County, or  
6 temporarily sojourning therein for a period not exceeding 30 days,

7 (2) Dogs or cats brought to said City and County exclusively  
8 for the purpose of entering the same in any dog or cat show or  
9 exhibition, and which are actually entered in and kept at such show  
10 or exhibition,

11 (3) Dogs or cats owned by nonprofit zoological gardens open  
12 to the public,

13 (4) Dogs or cats owned by duly incorporated and qualified  
14 organizations and societies for the humane treatment and prevention  
15 of cruelty to animals,

16 (5) Dogs or cats owned by pet shops, circuses, animal  
17 exhibits, and other enterprises maintaining animals which have been  
18 granted business licenses and kennel licenses by the City and County

19 (6) Dogs or cats used for teaching or diagnostic purposes or  
20 research in conformity with State or Federal laws.

21 (b) No license fee shall be levied for any dog license issued  
22 for any of the following:

23 (1) A professionally trained and certified guide dog owned by  
24 or in the custody of a blind or partially blind person,

25 / / /

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1 (2) A signal dog owned by or in the custody of a deaf person  
2 or person whose hearing is impaired. A "signal dog" shall mean any  
3 dog trained to alert a deaf person, or a person whose hearing is  
4 impaired, to intruders or sounds, as defined in Section 54.1 of the  
5 California Civil Code,

6 (3) A service dog owned by or in the custody of a physically  
7 handicapped person. A "service dog" shall mean any dog individually  
8 trained to the physically disabled participant's requirements  
9 including, but not limited to, minimal protection work, rescue work,  
10 pulling a wheelchair, or fetching dropped items, as defined in  
11 Section 54.1 of the California Civil Code.

12 SEC. 41.24. ENFORCEMENT. It shall be the duty of the Animal  
13 Control Officer and every police officer while on duty to enforce  
14 the provisions of Sections 41.15 to 41.22 inclusive, of this Article  
15 requiring owners of dogs to obtain a license for same.

16 SEC. 41.25. PENALTIES. Any person violating the provisions  
17 of Section 41.21 of this Article shall be deemed guilty of a  
18 misdemeanor, and upon conviction thereof shall be punishable by a  
19 fine of not more than \$500 or imprisonment in the County Jail for  
20 not more than six months or by both such fine and imprisonment.

21 / / /

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1 Any person violating the provisions of Section 41.15 or 41.19  
2 of this Article shall be deemed guilty of an infraction and upon  
3 conviction thereof shall be punishable by a fine of not less than  
4 \$25 nor more than \$50.

5 APPROVED AS TO FORM:

6 LOUISE H. RENNE  
7 City Attorney

8  
9 By \_\_\_\_\_  
10 JULIA TEN EYCK  
Deputy City Attorney





**DRAFT**

1 (Animal Sacrifice)  
2 AMENDING THE SAN FRANCISCO HEALTH CODE BY ADDING ARTICLE 1A  
3 THERETO TO PROHIBIT ANY PERSON, FIRM OR CORPORATION FROM  
4 SACRIFICING ANY ANIMAL OR POSSESSING OR SELLING ANY ANIMAL FOR  
5 SACRIFICE.

6 NOTE: This entire Article is new.

7 Be it ordained by the People of the City and County of San  
8 Francisco:

9 Section 1. The San Francisco Health Code is hereby amended  
10 by adding Article 1A thereto, to read as follows:

11 ARTICLE 1A

12 ANIMAL SACRIFICE

13 SEC. 1A.1. FINDINGS.

14 The Board of Supervisors hereby finds and declares that:

15 1. Animals, including chickens, pigeons, doves, ducks,  
16 guinea fowl, goats, sheep and turtles are sacrificed as an  
17 integral part of the rituals and ceremonies conducted by  
18 practitioners of certain cult and religious rites.

19 2. The methods commonly used to sacrifice animals are  
20 unreliable and not humane and cause great fear and pain to the  
21 animal.

22 3. Sacrificial animals are often subjected to inhumane  
23 treatment prior to being killed, in that they are kept in  
24 overcrowded and filthy conditions, are kept in close confinement  
25 and with animals not of their own species while awaiting

EXHIBIT D





1 sacrifice and are often deprived of food and water for days  
2 before being killed, possibly so that the animal does not  
3 defacate or urinate out of fear in the course of the sacrifice.

4 4. Stress and fear experienced by chickens, a commonly  
5 sacrificed animal, affects the chicken's immune system and  
6 increases growth of bacteria, especially salmonella, in the  
7 chicken's system, creating a human health hazard.

8 5. There is no reasonable means to guarantee that animals  
9 used in sacrifice are disease-free.

10 6. Following the practice of animal sacrifice, animal  
11 remains are often left in public places.

12 7. Improperly disposed-of animal remains present a serious  
13 public health hazard, in that areas where dead animals are left  
14 attract and become a harborage for flies, rats and fleas, thus  
15 increasing the likelihood of the spread of disease to other  
16 animals and to humans.

17 8. Flies attracted to animal remains are themselves known  
18 to transmit numerous human and animal diseases, including  
19 dysentery, typhoid, cholera, salmonella, salmonosis, infectious  
20 hepatitis and parasitic worms.

21 9. Rats are commonly associated with the spread of  
22 disease, including plague, Leptus Pyrosis and typhus.

23 10. The sanitary disposal of the remains of sacrificial  
24 animals by the diverse individuals and groups practicing such  
25 rites cannot reasonably be monitored or controlled.





1 11. In certain rites and rituals, children are allowed to  
2 witness animal sacrifice.

3 12. There is a correlation between the observation by  
4 children of violent acts, especially when conducted by persons of  
5 high status, such as a priest or priestess, and the likelihood of  
6 the child developing violent or aggressive tendencies.

7 13. The observation of animal sacrifice by children  
8 potentially detrimentally affects the mental health and behavior  
9 of the child, desensitizing the child to violence, promoting  
10 greater tolerance of violent behavior and increasing the  
11 possibility that the child will imitate and engage in violent  
12 behavior, to the detriment of the child and the community.

13 14. This ban on animal sacrifice is imperative (1) to  
14 prevent cruelty to animals, (2) to safeguard the health, safety  
15 and welfare of the community, and (3) to prevent the adverse  
16 psychological impact on children exposed to animal sacrifices.

17 15. This Article shall apply to any person, group, firm or  
18 corporation that kills, maims or sacrifices any animal in any  
19 type of ritual, or possesses or provides animals for that purpose.

20 SEC. 1A.2. DEFINITIONS.

21 As used in this Chapter, the following words and phrases  
22 shall have the meanings indicated herein:

23 "Animal" shall mean any member of any species of the animal  
24 kingdom.

25 / / /







1 "Animal Sacrifice" shall mean the intentional killing or  
2 maiming of any animal, in a religious ritual or as an offering to  
3 or in propitiation of a deity, devil, demon or spirit, which  
4 killing or maiming is committed not primarily for consumption as  
5 food, regardless of whether all or any part of the animal is  
6 subsequently consumed.

7 "Botanica" shall mean a store that specializes in selling  
8 those religious articles, including animals for sacrifice,  
9 usually associated with or used in those Afro-Caribbean religious  
10 practices variously known as Santeria, Lucumi, Candomble, Shango  
11 or Voodoun.

12 "Occult" shall mean those activities involving the use of  
13 secret knowledge or actions in rituals connected to supernatural  
14 beliefs or powers.

15 "Satanism" or "satanic" shall mean a system of belief that  
16 Satan will convey personal power over the practitioner, others  
17 and the environment permitting the practitioner to live by  
18 whatever moral or ethical code the practitioner wishes to adopt.

19 "Ritual Slaughter" shall mean the preparation and killing  
20 of any animal for consumption as food in compliance with the  
21 State Kosher Food Law (Penal Code §383b), or any other applicable  
22 kosher slaughter statute.

23 "Slaughter" shall mean the killing of any animal for  
24 consumption as food.

25 / / /





1           SEC. 1A.3. ANIMAL SACRIFICE PROHIBITED. It shall be  
2 unlawful for any person, firm or corporation to engage in animal  
3 sacrifice.

4           SEC. 1A.4. POSSESSION OF ANIMAL FOR SACRIFICE PROHIBITED.  
5 It shall be unlawful for any person, firm or corporation to own,  
6 keep, possess or have custody of any animal with the intent of  
7 sacrificing said animal.

8           SEC. 1A.5. SALE OF ANIMAL FOR SACRIFICE PROHIBITED.

9           (a) Sale Unlawful. It shall be unlawful for any person,  
10 firm or corporation to sell, give, transfer, or offer to sell,  
11 give, transfer or otherwise provide any animal to another person  
12 if at the time of the sale, transfer, or offer, the seller,  
13 offeror, or transferor knows or reasonably should have known that  
14 the buyer, offeree or transferee intends to sacrifice the  
15 animal.

16           (b) Intent Presumed. It shall be presumed that the sale  
17 or transfer of any animal to or by a botanica, occult supply  
18 store, or any business enterprise dealing primarily in religious,  
19 satanic, ritual or occult materials and supplies, is a sale or  
20 transfer in violation of this section.

21           SEC. 1A.6. PENALTIES. Any person who violates any  
22 provision of Sections 1A.3 through 1A.5 shall be deemed guilty of  
23 a misdemeanor or infraction.

24           (a) If charged as an infraction, the penalty upon  
25 conviction of such person shall be a fine not exceeding \$500.





1 (b) If charged as a misdemeanor, the penalty upon  
2 conviction of such person shall be imprisonment in the County  
3 Jail for a period not to exceed one year or by a fine not  
4 exceeding \$1,000 or by both fine and imprisonment.

5 (c) The complaint charging such violation shall specify  
6 whether the violation charged is a misdemeanor or an infraction.

7 (d) Prima Facie Violation. The discovery of the presence  
8 of any animal carcass, animal parts or animal blood in proximity  
9 to the presence of any religious, ritual or occult paraphernalia  
10 shall constitute prima facie evidence of a violation of this  
11 Article.

12 SEC. 1A.7. EXCEPTIONS. Nothing in this Article shall be  
13 construed to prohibit any person, firm or corporation from  
14 lawfully operating under the laws of this state and engaging in  
15 the slaughter or ritual slaughter of animals, as defined herein.

16 SEC. 1A.8. ENFORCEMENT.

17 (a) Any provision of Sections 1A.3 through 1A.5 may be  
18 enforced by the Department of Animal Care and Control, the  
19 Department of Public Health, or the San Francisco Police  
20 Department, or any duly authorized designee. Said departments  
21 shall have authority to investigate any suspected violation of  
22 this Article.

23 (b) Any department authorized to enforce this Article,  
24 which receives a complaint of or otherwise becomes aware of any  
25 violation of Sections 1A.3 through 1A.5, subject to penalties







1 under Section 1A.6, shall present the complaint or violation to  
2 the District Attorney for prosecution.

3 SEC. 1A.9. SEVERABILITY. If any part or provision of  
4 Sections 1A.3 through 1A.5, or the application thereof, to any  
5 person or circumstance is held invalid, the remainder of the  
6 section, including the application of such part or provision to  
7 other persons or circumstances, shall not be affected thereby and  
8 shall continue in full force and effect. To this end, the  
9 provisions of the sections are severable.

10  
11 APPROVED AS TO FORM:

12 LOUISE H. RENNE  
13 City Attorney

14  
15 By 

16 JULIA TEN EYCK  
Deputy City Attorney

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24 SUPERVISOR MIGDEN

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8/12/92

MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
COMBINED MEETING

(For The Months of June And July)

Convened On

August 12, 1992

at

SAN FRANCISCO ZOOLOGICAL PARK

DOCUMENTS DEPT.

AUG 25 1992

SAN FRANCISCO  
PUBLIC LIBRARY

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular August 12, 1992, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in the Education Building of The San Francisco Zoological Park. (The Commission's regular meeting for the month of July had been dispensed with by formal Commission resolution at its June 10, 1992, meeting and formally adjourned to Commission's regular August meeting date.)

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; and, Commissioners Carl Friedman; Ben Gale, R.E.H.S.; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T.; Nancy Ann Schofield; and Dolly Trauner.

Commissioner(s) Absent: Secretary Debra M. Fila, R.N.; and, Commissioners Mark Hurley and Stan Mahy.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Eight Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" was satisfied.

Upon the motion of Commissioner Friedman, seconded by Commissioner Trauner and thereafter voted upon unanimously in the affirmative, the absences of Commissioners Fila (ill) and Mahy (stranded in Salt Lake City) were excused as provided by applicable ordinance.



2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (June 10, 1992) MEETING

Upon the motion of Commissioner Lippert, seconded by Commissioner Trauner and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's June 10, 1992, meeting were accepted and filed without corrections.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To September Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - Absent)

(Deferred To September Meeting)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Absent)

(None As Such - Deferred To September Meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

(See "Specially Calendared Matters, "Paragraph 5(b) )

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Schofield - Deferred To September Meeting)

(See "Specially Calendared Matters, "Paragraph 5(a) )

5. SPECIALLY CALENDARED MATTERS - HEARINGS

Specially calendared were the following three items of business addressed in the order indicated hereafter in this Paragraph 5.

(a) Matters Concerning Joint Operation of San Francisco Zoological Park by the Recreation and Parks Commission and the San Francisco Zoological Society:  
Zoo Director David Anderson and San Francisco Zoological Society Executive Director Peggy Burks appeared in response to the Commission's special invitation to outline for the Commission and to bring it current with respect to on-going negotiations between the Recreation And Parks Commission (hereafter "City And





County") and the San Francisco Zoological Society (hereafter "the Society") as respects future joint operation of the San Francisco Zoological Park (hereafter "the Zoo").

Zoo Director Anderson and Executive Society Director Burks reported that negotiations were active and proceeding apace, with both the Joint Zoo Committee and the Recreation and Parks Commission having already agreed in principle to future joint operation of the Zoo by the City And County on the one hand and by the Society on the other. The concept is to be presented to the Board of Supervisors in the next weeks.

Zoo Director Anderson and Society Executive Director Burks each presented extended oral presentations, answered questions from various Commissioners and from the public gallery and then filed with the Commission the following documents summarizing the matters discussed:

- (i) "Summary: Concepts of Expanded Partnership - San Francisco Zoological Society/Recreation and Parks Commission" (one-page); and
- (ii) "Resolution" - Recreations And Park Commission, dated 07/01/92.

Copies of the two documents described above are attached to, incorporated in and made part of these Minutes, being designated for that purpose as "EXHIBIT 5(a)(i)" and "EXHIBIT 5(a)(ii)," respectively.

Upon conclusion of the Anderson/Burks presentation, the Commission directed it Chair to calendar the matter as the first and principal matters on the agenda of its September meeting, preliminary to preparing an appropriate resolution for presentation to the Board of Supervisors concerning the matter (limited to considerations of animal care, control and welfare). The Chair was directed to cause as many as posible of the parties known to be interested in humane considerations in Zoo operation to be notified of Commission's September meeting, including but not limited to, Citizens For A Better Zoo, concerned Zoo staff, and the San Francisco Society For The Prevention Of Cruelty To Animals.



(b)Matters Relating To Four Items of Animal Care/ Welfare Legislation

Currently Under Consideration By The Board Of Supervisors:

Commissioner Friedman (with participation of the Chair) provided the Commission with an up-date on developments since its June meeting as respects four amendments to the Municipal Code relating to animal care, control and welfare. (For more detailed information in this regard, see a copy of the Commission's "Resolution" of June 11, 1992, attached hereto and marked "EXHIBIT 5(b)."

Commissioner Friedman and the Commission's Chair will attend and, if called upon to do so, will participate in the City Services Committee's (Board of Supervisors) further hearing on the "Sacrificial Killing" ordinance at 10:00 a.m., August 18, 1992 in the Hearing Room of the Board of Supervisors. The Chair requested that the most complete representation possible of the Commission present itself at the aforesaid time and place before the City Services Committee to support the altogether commendable position of Supervisor Carol Migden as sponsor of the legislation as respects "sacrificial killing" in particular and as the Board's champion as respects legislation relating to animal care, control and welfare.

(c) Matters Relating To Commissioner Attendance At Commission Meetings:

There followed a discussion between the Commissioners present concerning problems having to do with recent decreased attendance at monthly meetings by Commissioners.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None)

7. ADJOURNMENT

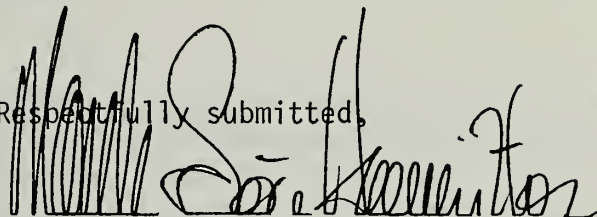
The August 12, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of Commissioner Lippert, and seconded by Commissioner Trauner at approximately 7:40 p.m.



The next regular monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, September 9, 1992, tentatively at the Education Building of the San Francisco Zoo.

Dated: August 13, 1992

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton". The signature is fluid and cursive, with the first name "Mark" being particularly prominent.

Mark Scott Hamilton  
Chairperson





Summary: **CONCEPTS OF EXPANDED PARTNERSHIP**  
San Francisco Zoological Society / Recreation and Park Commission  
San Francisco Zoological Gardens - July 1, 1992

---

**THE NEED**

The proposed City budget will reduce the quality of animal care, eliminate jobs and reduce services provided to the children and families that enjoy the San Francisco Zoo today. Given the City's fiscal limitations and mandated priorities that lie elsewhere, general fund support for the Zoo is likely to continue to decrease.

**BACKGROUND**

Early in 1992 the Mayor's Office requested the Society consider expanding its present lease to manage the entire Zoo and provide additional private funding to maintain and improve the Zoo, with fewer taxpayer dollars. The Society currently provides 44% of the Zoo's \$12 million budget, employs 65% of the Zoo's 265 employees, and operates the Children's Zoo, Insect Zoo, Avian Conservation Center, education, visitor services, membership and development.

**CONCEPT OF  
EXPANDED  
PARTNERSHIP**

Most of the major zoos in the country are managed by non-profit support organizations. San Francisco would follow this model and shift those Zoo operations currently managed by the City to the Society as early as January 1993, developing a 5-year, renewable lease between the Society and the Commission. The City would retain ownership, and the Zoo would remain under the Park Commission. The Commission would retain approval of admission fees, exhibit development, land use and review of annual budgets.

**BENEFITS OF  
EXPANDED  
PARTNERSHIP**

- improved ability and efficiency in meeting animal needs;
- expansion, rather than reduction in services provided to children and families using the Zoo today;
- reduction of the City's general fund tax support (\$4.8 million in fiscal 91-92, which otherwise would increase to approximately \$6 million by fiscal 97) - a savings of approximately \$8 million taxpayer dollars that would be needed for the Zoo within the first five years;
- employment for all present Zoo employees, with continued union representation;
- increased financial support from entire bay area (75% of Zoo visitors come from outside San Francisco);
- development of highest quality animal exhibits, education, visitor services and conservation programs.

**FUNDING**

The Zoological Society will establish a \$10 million Founder's Fund for transitional costs, new exhibit construction and endowment. The Society will assume operating costs for Zoo expansion and improvements, and the City's general fund tax obligation would decrease and be indexed at the end of the five year transitional period. The City would support a Zoo bond issue for an agreed upon year.

**PUBLIC  
RESPONSIBILITIES**

The Zoo would continue to offer the widest possible access at the lowest possible cost. Free days, free admission for school groups and the disadvantaged would be retained. The Zoological Society would continue to operate in accordance with affirmative action, non-discriminatory and MBE-WBE policies, and retain the public process through the Joint Zoo Committee.

EXHIBIT

5(a)(i)



1 JULY 1992

RESOLUTION

RECREATION AND PARK COMMISSION

A resolution by the San Francisco Recreation and Park Commission to adopt in concept an expanded partnership through a lease agreement whereby the San Francisco Zoological Society, a non-profit entity, shall operate the San Francisco Zoological Gardens.

WHEREAS, the Recreation and Park Commission was established by Charter and empowered to control, manage and direct all facilities in the charge of the Commission, which includes the Zoo; and

WHEREAS, the Recreation and Park Commission is authorized pursuant to approval by the Board of Supervisors to enter into lease agreements for certain functions on Recreation and Park Department property; and

WHEREAS, the San Francisco Zoological Society was established in 1954 as a non-profit corporation under the laws of the State of California and in 1964 entered into a lease agreement with the Recreation and Park Commission to operate certain functions of the Zoo, and currently provides 45% of the annual operating budget, 65% of the employees for the institution, and operates the Children's Zoo, Insect Zoo, Education Department, food services, gift shop, membership (with 27,000 family memberships), development office and Avian Conservation Program; and

WHEREAS, the San Francisco Zoological Society is a non-profit public benefit corporation formed exclusively for charitable, scientific and educational purposes for the study and promotion of zoology and wildlife conservation and for the education and recreation of the public; and

WHEREAS, the increasing cost of the City of San Francisco's mandated priorities has reduced the City's discretionary funds including those available for the Zoo, and the current decreasing general fund support has resulted in reduced animal care, eliminated eight positions and reduced services provided to children, families and other visitors that enjoy the Zoo and is likely to have similar impacts from future City fiscal limitations; and

WHEREAS, the Mayor's office and the Recreation and Park Department General Manager requested the Society explore its scope of involvement to undertake an expanded management role at the Zoo; and

WHEREAS, the San Francisco Zoological Society is willing to expand its present lease to create a partnership in which the Society would manage the entire Zoo and provide additional private funding to maintain and improve the Zoo; and

WHEREAS, the benefits of expanded partnership include improved ability and efficiency in meeting the needs of animals; expansion rather than reduction of services; employment for all current Zoo employees, at the Zoo or elsewhere with the City; reduction of City taxpayer dollars in support of the Zoo; increased financial support from the nine Bay Area counties from which 75% of the Zoo's visitor base originates; and

EXHIBIT 5(a)(ii)





development of highest quality animal exhibits, education, visitor services and conservation programs; and

WHEREAS, there have been a series of meetings with the Zoo's employees and with union representatives to begin to attempt to resolve issues of employee concerns, and these meetings shall continue and further develop additional proposals regarding employment issues; and

WHEREAS, many major successful zoos and aquariums in the United States such as the San Diego Zoo, the Bronx Zoo, the Chicago Brookfield Zoo, the Atlanta Zoo, the Philadelphia Zoo, the Monterey Bay Aquarium, the Cincinnati Zoo, and the New Orleans Audubon Zoo, are operated by non-profit entities; NOW THEREFORE:

BE IT RESOLVED that the Recreation and Park Commission supports the expansion of its current partnership with the San Francisco Zoological Society with respect to care, control and management of the San Francisco Zoological Gardens and hereby directs the staff of the Department to negotiate a lease agreement with the Zoological Society to effect that goal. The draft lease should incorporate the concepts and proposals set forth in Exhibit A to this Resolution and should contain procedures that permit this Commission to fulfill its responsibilities under the City's Charter with respect to operations of the Zoological Gardens. The draft lease shall be ready for presentation to this Commission and the public not later than September 30, 1992 and, if approved by this Commission, shall be subject to review and approval of the Board of Supervisors. And

BE IT FURTHER RESOLVED, that the General Manager of the Recreation and Park Department, is hereby directed to request that the Board of Supervisors review this Resolution and the concepts contained therein and indicate whether or not they support them.





1 JULY 1992

CONCEPTS FOR EXPANDED PARTNERSHIP LEASE AGREEMENT  
SAN FRANCISCO ZOOLOGICAL SOCIETY and RECREATION & PARK COMMISSION  
SAN FRANCISCO ZOOLOGICAL GARDENS

SECTION 1. Any agreement resulting from this resolution may be a contract or lease or combination contract and lease.

SECTION 2. The Recreation and Park Commission shall, at its discretion, negotiate the terms, conditions and duration of any agreement entered into under the provision of this resolution.

SECTION 3. The City of San Francisco and the Recreation and Park Commission in accordance with a lease agreement shall provide the San Francisco Zoological Society an annual payment subject to normal budget appropriation each year by the Board of Supervisors, for services rendered in operating the Zoo. This payment may be in the form of services, Civil Service salaries, utilities, payments of other operating costs, or some combination.

SECTION 4. The lease agreement shall include as a priority of the City and the Recreation and Park Commission support for a Zoo bond issue for not less than \$25 million for use in construction of parking, a new front entrance, exhibits and other facilities, the bond to be placed before the voters in an agreed upon year.

SECTION 5. The lease agreement shall be approved for a period of five (5) years, which may include annual extensions. At the end of such time the agreement shall be subject to renewal.

SECTION 6. The lease agreement obligations and Public Responsibilities of the Recreation and Park Commission, the City, and the San Francisco Zoological Society shall include the concepts listed in Attachment A.

It is important that the broad objectives of this shift in the role of the Zoological Society be clear to everyone. The Zoological Society's priority has been and continues to be the rebuilding of the Zoo outlined in ZOO 2000. The benefits of assuming full management responsibilities need to be for the betterment of the animals, zoo visitors, the employees, the City of San Francisco and the citizens of the Bay Area.

The following concepts were approved by the Zoological Society's Board of Directors on April 27, 1992, for consideration by the Recreation and Park Commission, in response to the request from the Mayor's Office and the General Manager of the Recreation and Park Department that the Society consider expanding its present lease to manage the entire Zoo.



## I. CONCEPTS OF MANAGEMENT/LEASE AGREEMENT

### A. Zoological Society

1. Operate the Zoo as a public trust in accordance with adopted Mission and Goals of the San Francisco Zoological Gardens
2. Be granted decision-making authority for operations of the Zoo.
3. Assure that all revenues are used for the Zoo.
4. Provide audited financial statements to the City.
5. Offer all present Zoo employees employment with SFZS.
6. Non-animal care personnel electing not to become SFZS employees shall transfer by seniority to Recreation and Park or other City departments.
7. Animal care personnel, lacking transfer opportunities, may retain civil service status and remain at Zoo. Civil service status shall be retained for these employees in any subsequent renewals of this lease agreement.
8. SFZS shall bargain in good faith with union representatives.
9. Reorganize and manage all personnel
10. All vacated and new positions become SFZS positions.

### B. Recreation and Park Commission

1. Retain approval of all capital projects.
2. Retain appointment of Zoo Director (charter) in conjunction with Zoological Society.
3. Retain approval of admission fees, on comparable facilities basis.
4. Retain review of annual operating budgets.
5. Retain Joint Zoo Committee as a public process.
6. The Recreation and Park Commission President and General Manager or a designated representativeshall become ex-officio voting members of the Society Board of Directors.
7. Develop a renewable lease agreement to expand Zoological Society management of Zoo operations, subject to approval of the Board of Supervisors

### C. City Partnership

1. Zoo shall remain under Recreation & Park Commission.
2. Retain the public bonding capacity for the Zoo.
3. City shall support a Zoo bond issue or other mutually agreed upon method of financing not less than \$25 million for specified capital improvements including parking, exhibits and other facilities, in 1994 or agreed upon year.
4. City shall retain ownership of land, buildings, animals and present equipment in use at Zoo.
5. Present infrastructure bond work shall be completed.
6. Mitigation and protection from Clean Water Plant project shall be retained.





## II. FUNDING STRATEGIES

- A. SFZS to establish \$10 million Founder's Fund from private sources, to ensure success.
  - 1. Provide operating funds for transition period.
  - 2. Provide capital funds for construction of small cat exhibits and immediate zoo-wide renovations.
  - 3. Increase Endowment Fund for long-term stability
  - 4. Integrate Founder's Fund with ZOO 2000 \$26 million capital campaign.
- B. SFZS continues with ZOO 2000 \$26 million capital campaign.
- C. SFZS Financial Strategies, Operations.
  - 1. Overall objective is to generate financial support to greatest extent possible by increasing membership, earned revenues and annual contributions.
  - 2. Continue to increase Endowment Fund and planned giving
  - 3. Assume financial operating costs for Zoo expansion. and improvements.
  - 4. Retain public partnership.
  - 5. Establish strong marketing program to increase regional attendance base and tourism.
- D. Public Funds
  - 1. Reduce the annual General Fund tax obligation for the Zoo (City provided \$4.7million in fiscal 91-92, which at 6% increase per year would increase to approximately \$6 million by fiscal '97) for a projected savings of approximately \$10 million within the first 5 years of the expanded partnership. (Amount of reduction predicated on fee levels.)
  - 2. City obligation shall be indexed at the end of first 5 years.
  - 3. City obligation shall be provided by combination of services, utilities, payment of remaining civil service employees or other payments.
  - 4. Bond issue for Zoo or other mutually agreed upon financing of not less than \$25 million for specified capital improvements be supported in 1994 or agreed upon year.

## III. RESPONSIBILITIES TO THE PUBLIC

- 1. Retain policy to provide widest possible access at affordable cost.
- 2. Retain free days, free admission for school groups, and access for disadvantaged groups.
- 3. Develop facilities in accordance with American Disabilities Act.





4. Expand special services for children, seniors, and handicapped.
5. Contract in accordance with MBE/WBE policies.
6. Continue the Joint Zoo Committee (three Recreation and Park Commissioners and three members of the Society Board of Directors) to hold public meetings on major Zoo policies including fees, new animal exhibits, animal acquisition and disposition policies, land use, capital and operating budgets
7. Increase diversity regarding Society governance.
8. Retain public access to information as presently provided under jurisdiction of the Recreation and Park Commission, including information on the status of all animals in the Zoo's collection.



To <i>Mark Hamilton</i>	From
Co.	Co.
Dapt.	Phone #
Fax #	Fax #



CITY AND COUNTY OF SAN FRANCISCO  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
Resolution

WHEREAS, at the behest of Supervisor Carole Migden, the City Services Committee of the Board Of Supervisors has calendared on its July 21, 1992 meeting agenda consideration of four separate amendments to several sections of the Municipal Code relating to the use, care, custody, control and well-being of animals, which said four amendments are as follows:

- (1) Police Code/Section 490-Article 7 (referred to hereafter as "Ordinance Regulating Horse Riding," a copy of which proposed amendment is attached hereto as "EXHIBIT A");
- (2) Health Code/Sections 49 and 51 of Article 1 (referred to hereafter as "Ordinance Prohibiting Advertisement For Sale, Etc., Of Certain Animals," a copy of which proposed amendment is attached hereto as "EXHIBIT B");
- (3) Revenue And Business Regulations Sections 215-219, 222-223; Health Code Article 1, etc. (referred to hereafter as "Ordinances Involving Dog Licensing And Rabies Vaccination Procedures," a copy of which

//

**EXHIBIT 5(b)**



1 proposed amendments is attached hereto as "EXHIBIT  
2 C"); and,

- 3 (4) Health Code/Section 11A.1 (referred to hereafter as  
4 the "Sacrificial Use Of Animals Ordinance," a copy  
5 of which amendment is attached hereto and marked as  
6 "EXHIBIT D"); and,

7 WHEREAS, at its regular June 11, 1992 meeting a quorum of this Commission  
8 duly considered the aforesaid four proposed amendments to the Municipal Code;  
9 and,

10 WHEREAS, it is the function of this Commission to advise the Board Of  
11 Supervisors as respects matters relating to the use, care, custody, control  
12 and well-being of animals within the City And County Of San Francisco -

13 Now, therefore, IT IS HEREBY RESOLVED that -

14 1. As To Amendment To The "Ordinance Regulating  
15 Horse Riding" - This Commission unanimously recommends  
16 enactment of the amendment proposed by Supervisor Migden,  
17 a copy of which is attached hereto as "EXHIBIT A";

18 2. As To The "Ordinance Prohibiting Advertisement  
19 For Sale, Etc., Of Certain Animals" - This Commission  
20 unanimously recommends enactment of the amendment proposed  
21 by Supervisor Migden, a copy of which is attached hereto  
22 as "EXHIBIT B";

23 3. As To Amendment To The "Ordinance Involving Dog  
24 Licensing And Rabies Vaccination Procedures" - This Com-  
25 mission recommends enactment of the amendment proposed by  
26 Supervisor Migden, a copy of which is attached hereto as  
27 "EXHIBIT C" (one Commissioner dissenting therefrom because  
28 he is opposed to mandatory vaccination); and,

29 4. As To Amendment Of The "Sacrificial Use Of Animals  
30 Ordinance" - This Commission unanimously recommends enact-  
31 ment of the amendment proposed by Supervisor Migden, a copy  
32 of which is attached hereto as "EXHIBIT D".



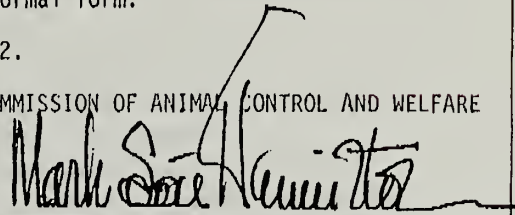


1                   Caveat: Three Commissioners (the Chair, Vice-  
2 Chair and a public-at-large Commissioner) approved the  
3 said ordinance in the form presented, provided the City  
4 Services Committee gives specific notice of its July 21  
5 hearing to persons and organizations known to be  
6 interested in the conduct of animal sacrifice and general  
7 notice to the public in the normal form.

8 Done this 11th day of June, 1992.

9 COMMISSION OF ANIMAL CONTROL AND WELFARE

10  
11 BY



Mark Scott Hamilton  
Chairperson

12  
13  
14 Routing: Original To - City Services Committee  
15 Board Of Supervisors

16 Copies To - Supervisor Carole Migden  
17 All other Supervisors  
18 Clerk, Board Of Supervisors  
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1 JULY 1992

CONCEPTS FOR EXPANDED PARTNERSHIP LEASE AGREEMENT  
SAN FRANCISCO ZOOLOGICAL SOCIETY and RECREATION & PARK COMMISSION  
SAN FRANCISCO ZOOLOGICAL GARDENS

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SF

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MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

on

///

NOVEMBER 12, 1992

at

BOARD ROOM - RECREATION AND PARK COMMISSION

McLAREN LODGE

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DEC 08 1992

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular November 12, 1992, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in the Board Room - Recreation And Park Commission.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; and, Commissioners Carl Friedman; Ben Gale, R.E.H.S.; Ronald Lippert, A.H.T.; Stan Mahy; Nancy Anne Schofield; and Dolly Trauner.

Commissioner(s) Absent: Secretary Debra M. Fila, R.N.; and, Commissioners Kenneth Gorczyca, D.V.M.; and Mark Hurley.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting, joined as Co-chairperson by special Commission invitation by the Honorable Trent W. Orr, President, Recreation And Park Commission.

Eight Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" was satisfied.

Upon the motion of Commissioner Friedman, seconded by Commissioner Trauner and thereafter voted upon unanimously in the affirmative, the absences of Commissioners Fila (absent on business) and Gorczyca (absent on business) were excused as provided by applicable ordinance.





2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (October) MEETING

The Commission's October meeting having been cancelled based upon the unanimous sense of the Commission, there were no October meeting minutes to be approved.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To December Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D.)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Absent)

(None As Such - Deferred To December Meeting).

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

(None As Such - Deferred To December Meeting)

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Nancy Schofield)

(None As Such - Deferred To December Meeting)

5. SPECIALLY CALENDARED MATTERS - HEARINGS

The Commission's November meeting was specially calendared as a single-issue meeting devoted to the receipt of evidence, statements and testimony in support of the asserted proposition that feral (and pet) cats are working a substantial predation upon wild birds in the City's parklands, open space areas and other areas (including areas within the geographical limits of the City And County Of San Francisco, but falling within the jurisdiction of the National Park Service, United States Department Of Interior).

The Commission was joined for the purpose of this hearing and upon its special invitation by the Honorable Trent W. Orr, President of the Recreation And Park Commission, the latter Commission having initially requested the Commission Of



Animal Control And Welfare to conduct hearings relative to complaints of cat predation upon wild birds in Golden Gate Park. President Orr joined the Commission as Co-chair (without vote) for the Commission's November meeting and participated as such throughout the meeting.

The Chairperson explained to the public gallery that several months ago the Recreation And Park Commission had approached the Commission Of Animal Control And Welfare as being " ... perhaps the more appropriate entity to undertake the study of the cat/wild bird situation in Golden Gate Park ... " This request had itself been initiated earlier by complaints made to the Recreation And Park Commission and Department. The Commission Of Animal Control And Welfare had heard testimony and statements from cat devotees on four occasions during the last several months of meetings. However, the Chair reported to the gallery that no one " ... representing the point of view ... " had come forth and no such documentary evidence had been produced. Accordingly, the Commission had decided at its September meeting to schedule this (November) meeting exclusively for the purpose of hearing from complainants with the point of view that cats were working a substantial predation upon wild birds and had tentatively decided that if no substantial evidence to that effect were presented, the Commission would drop the matter from its continuing agenda.

The Chair explained to the gallery that several of the articles appearing in the local prints about the cat/bird situation (and a broadcast from the San Francisco SPCA) could be mis-read as indicating that the Commission itself, the Department Of Animal Care And Control or the Board Of Supervisors were about to undertake an extermination program as respects the feral cat population in park and other lands in the City And County Of San Francisco. The public gallery was assured that no such program - or any program - was under consideration at any level of City And County government, although there had been many complaints from members of the public and interested entities requesting that corrective measures be considered and undertaken.



The gallery was advised that in excess of 200 communications (substantially from adherents to the cat "point of view") had been received to date by members of the Board Of Supervisors, by the Mayor's Office, by the Director of the Department Of Animal Care And Control and by the Commission Of Animal Care And Welfare. Only two such communications purported in any way to represent the bird point of view. The Commission and the Recreation And Park Commission has earlier solicited "briefs" from various parties interested in the wild bird point of view (notably, amongst others, from the California Academy Of Science). No such briefs or studies have been forthcoming to date.

The gallery was assured that the Commission's joint meeting with President Orr was not precommitted in any direction at all, but was merely called for the purpose of receiving public in-put. The gallery was also assured that no substantive decisions would be arrived at during, or as the result, the Commission's November meeting and that other and subsequent meetings would be held as deemed necessary by the Commission.

The gallery was advised that to the greatest extent possible technical staffs of the Recreation And Park Department, Golden Gate National Recreation Area, Audubon Society, California Academy Of Science, San Francisco SPCA and other interested entities would be heard first with generally flexible time limitations imposed upon their presentations. Thereafter, input from the general public would be solicited until the end of the meeting.

For purposes of these minutes there has been appended hereto a rough unedited summary of the Commission's pro-tem secretary as to the remarks of most, but not all, speakers. Reference may be had to the appended secretarial notes (marked "EXHIBIT A") for a summary of those comments. However, it must be borne in mind that these are not stenographic notes and do not purport to be verbatim in character.

(CONTINUE TO "EXHIBIT A")





6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

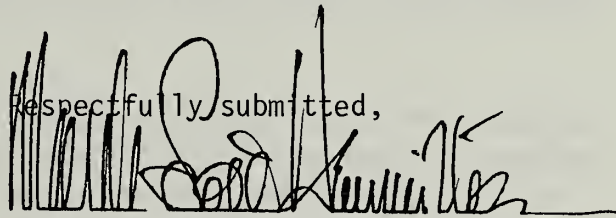
(None, except as respects the single issue agenda.)

7. ADJOURNMENT

The November 12, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of Commissioner Mahy, seconded by Commissioner Friedman, at approximately 8:30 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, December 9, 1992, in the Education Building, San Francisco Zoological Park. The agenda of the December meeting will be devoted to intra-commission discussion of the cat-bird situation. Members of the public are invited to attend.

Dated: November 13, 1992

Respectfully submitted,  


Mark Scott Hamilton  
Chairperson



San Francisco Commission of Animal Control and Welfare  
McLaren Lodge, Golden Gate Park  
San Francisco, CA  
Meeting held Thursday, November 13, 1992

Arthur Feinstein, Program Coordinator for Audubon Society: Spoke on loss of Quail in the Park. Said that songbirds were not as affected as quail which are ground dwellers. Cats are not a natural predator for the area. Red Foxes in the South Bay are depleting the Rail population.

Alan Hopkins: California quail are now completely gone from Lincoln Park. Chicks have to eat immediately upon hatching, and cannot fly for 10 days; hence are easy prey for cats. There are cat feeding stations in the park which attract filth and litter. He collected sacks of empty cat food tins and other types of food and dishes. The Migratory Bird Protection Act covers all but a few species. Of 850 species of birds, 350 have been identified in the San Francisco area. In the Sacramento Valley, one study found that 25% of cats' diet is birds. Mr. Hopkins showed a placard of the Calif. Quail Christmas Count Study. (*Ms. Schofield commented on the standard use of the Christmas Count Study reports*).

Barbara Salzman      Salzman

Mrs. Halsman: Mrs. Halsman listed a number of publications dealing with birds, bird predation, and falling populations. It is estimated that one unsprayed female cat can be responsible for the production of 420,000 cats in 7 years. She suggests an organized, scientific study of what is going on in Golden Gate and other Parks. (*Chairman Hamilton commented that the Commission has absolutely no funding to perform such a study; that perhaps it be done by the Calif. Academy of Science. Commissioner Mahy asked if any study had been done on the eating of eggs by rats*).

During a break, Chairman Hamilton asked Commissioner Friedman regarding laws concerning cats. It is against the law to abandon any animal. There are so many loose cats, feral and otherwise, it requires 2 full-time cat trappers. They trap an average 100 cats per month, as well as picking up dead animals. Of 9 dead cats, 2 or 3 look to have been hit by cars; the rest look to have been diseased or starved. Animal Control has to kill "good" cats for lack of adoption, while cat lovers are feeding unadoptable feral cats.

**EXHIBIT A**





Avanzino  
Richard Avanzino, Director, San Francisco SPCA: There are 400,000 cat owners in San Francisco. Bird populations are declining. We have not heard all the evidence. Cats are not the only cause. Other causes are poison, pollution, predation of all kinds, and the fact that we have had a drought for 6 years. It is unfair to look at "outdoor" cats and call them feral, but cats do belong at home.

Donna Lyon: Regarding "Junk" birds -- These are species introduced by humans. They are forcing out, and replacing the native species. Tried to create a natural habitat in her back yard, but was overrun by cats.

Jake Sigg  
Former Golden Gate Park Gardener (name inaudible): There were once 100 - 150 quail in one of the special gardens; too many; they were eating too many of the rare plants. There were rabbits there also. A cat population built up, and the quail population went to zero. He now regrets the position he took against quails at the time. In response to the Chairman's questions, this speaker stated that pesticides had no bearing on the problem of declining bird populations in G.G. Park. He stated that in spite of clearing out underbrush, there were still plenty of areas with natural cover for quail.

John Aiken, member of Zoological Society: Cats have innate hunting instinct that domestication has not eliminated. Predators are controlled by available prey. Cat populations that have supplemental feeding will exceed normal prey. Raptors living in G.G. Park are not showing any effect of pesticides. Australia is poised to pass laws that cats must be licensed and restricted to owners' homes; this is due to the loss of small native marsupials. There are very few lizards and small reptiles in G.G. Park due to cats. Shoreline Park did marsh restoration and feels cats impact adversely on shore birds. Migratory birds pass through California. He suggested the SPCA build a shelter for cats that have been trapped, and that cat lovers be urged to feed and take care of them as such a shelter. *(Commissioner Mahy suggested that cat feeding stations be located away from water in G.G. Park. The water draws migratory birds, which in turn draw cats).*

Mr. Aiken responded to a question from the Chair that some species, such as the Crow and the Raven, were making a comeback. However, these species are "generalists," as are doves and pigeons, and are scavengers as well as omnivorous. The "generalists" tend to take over from "specialists" when a change in the environment adversely affects the "specialists."

Commissioner Donovan stated she had the impression the entire ecosystem is out of balance. Mr. Aiken replied that other factors exist, but that cats are the immediate problem which should be addressed now.

Commissioner Donovan Regarding pesticides, none are being used that have any affect on birds.





Commissioner Mahy: Pesticides kill insects and impact on cats by reducing insects as a food source.

A. Bell

Douglas Feld, Staff member, Academy of Sciences: His occupation is the study of the evolution of bird song. From January through September he has been studying the song of White Crowned Sparrows in G.G. Park. He sees lots of cats. A study of cats' stomach contents showed 17% - 20% consisted of birds. These sparrows nest on the ground, or not higher than about 3 feet up in a shrub. Last year there was a 60% failure rate of nesting sparrows; this year, in the period covered by his study, there has been a 32% failure rate. Most nests were predated by animals (cats, rats, raccoons). Cats are acting as predators in spite of supplemental food. In some areas, 100% of these sparrows are gone. This has happened since 1975 when, formerly, cats were removed at a greater rate than is the case at present.

Levinger

Lucrecia Letinger, "Friends of G.G. Park": Ms. Letinger urged removal of feral cats. Cats preferred rabbits, but when rabbits became scarce cats go for rats, and then for birds. When housing in the Diamond Heights area first started, residents reported that cats were eating voles, and that quails disappeared from the area during the first year(s) of development. Now, there is lots of evidence of dogs and cats, only a very few voles, no squirrels, rabbits or reptiles.

Dan Murphy, Christmas Bird Count Compiler: In the past 20 years, rabbits and quail have been exterminated by cats. Cats are present in large numbers. Cowbirds are predators, and their population has grown. Cats population is out of control. Start eliminating feeding stations.

John Jones: From the Boathouse to the stones, he saw 2 songbirds for 3 days. The underbrush was clipped. A week later the birds were on a tree. The following week they were gone. He seen quail, and later found them dead with portions of body gone. There are too many people and cars in G.G. Park. They stomp around, make litter, and destroy things.

Virginia Handley, "Friend for Animals": Legislation. As long as there are cats, there will be feral cats. People will not allow cats to starve to death. Try to work with people who are trying to help cats. The many homeless people living in the Parks may also be part of the problem

Al Kurz

----- Alperts, Natural Resources Consultant: (First name inaudible) Listed a number of factors that impact birds. Described a Wild Life Protection Committee in New York City, and one similar in London. Suggested that one be established in San Francisco.



SF  
MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

on  
DECEMBER 9, 1992

at

EDUCATION BUILDING - SAN FRANCISCO ZOOLOGICAL PARK

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JAN 6 1993

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular December 9, 1992 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in the Education Building - San Francisco Zoological Park.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Debra M. Fila; and, Commissioners Carl Friedman, Mark Hurley, S.F.P.D.; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T.; Stan Mahy; Nancy Anne Schofield; and Dolly Trauner.

Commissioner(s) Absent: Commissioner Ben Gale, R.E.H.S. (on vacation out of state).

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Ten Commissioners holding valid appointments being present, the quorum requirement of six Commissioners of Section 6 of the Commission's "Rules and Regulations" was satisfied.

Upon the motion of Commissioner Friedman, seconded by Commissioner Trauner and thereafter voted upon unanimously in the affirmative, the absence of Commissioner Ben Gale was excused as provided by applicable ordinance.



## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (November 12, 1992) MEETING

Upon the motion of Commissioner Trauner, seconded by Commissioner Hurley and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's November 12, 1992 meeting were accepted and filed without corrections.

## 3. CHAIRPERSON'S REPORT

The Chairperson remarked concerning the attention given by the public media to the subject of the Commission's November meeting (that is, the cat/bird situation in public park and open space lands).

It was also noted that the first order of business at the Commission's January 1993 meeting would be the selection and election of the Chairperson, Vice-Chairperson and Secretary of the Commission for a term of one year following thereafter. In this regard the Chair asked Commissioners Friedman, Gale and Lippert (joined by any other Commissioners who wished to participate) to serve as an informal nominating committee to report nominations back to the full Commission at its January meeting. The Chairperson emphasized the fact that such recommendations of the informal nominating committee are not binding and that any Commissioner may nominate additional candidates for office.

## 4. COMMITTEE REPORTS

### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D.)

Commissioner Hurley reported briefly concerning the continuation of regular vicious dog hearings and concerning one case in particular.

### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Absent)

(None As Such - Deferred To January 1993 Meeting)

### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman reported briefly concerning the general budget problems







and census status of his Department and reported further concerning directions for public use of donations made by members of the public to his department for animal humane purposes.

#### 4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Anne Schofield)

Commissioner Schofield reported that in the next several months she will be resigning her position with the San Francisco Zoo in order to complete her doctoral program and to establish a consultative service. All Commissioners present joined in their warm congratulations to Commissioner Schofield and endorsed those congratulations with their request that she not arrange for her replacement (who must be the nominee of the General Manager of the Recreation And Park Department) until such time as she knows when her departure date will be.

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

The Commission's December meeting was specially calendared as a "public work session" meeting devoted to intra-Commission (followed by brief public) discussion as to whether the feral cat/wild bird issues (which were the exclusive subject of the Commission's November meeting and regarding which there had been public discussion in prior meeting) was considered to be of sufficient concern to merit its being retained on the Commission's continuing calendar.

Following a brief general discussion in which all Commissioners participated, Commissioner Trauner made the following motion:

"Resolved: Based upon evidence submitted at and public discussion during the Commission's November and prior meetings, it is the tentative finding of the Commission that the relationship between the presence and public feeding of feral cats in park and open space lands of the City And County although by no means is definitely clear at present is considered sufficiently substantial to justify retention of the subject on the Commission's continuing agenda and further public discussion as a principal item at the Commission's January meeting."

Commissioner Trauner's proposed motion having received near-unanimous voice approval from Commissioners present and, because such strictly calendar matters



do not normally require second or formal vote, the Chair ruled that all matters having to do with the publicly asserted reduction of the wild bird population in City And County park and open space lands (including, but not limited to, contribution thereto by cat predation, if any) would be calendared as the principal "Specially Calendared Matter" on the agenda of the Commission's January 13 meeting.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None, except as respects discussion of "work session" subject, above.)

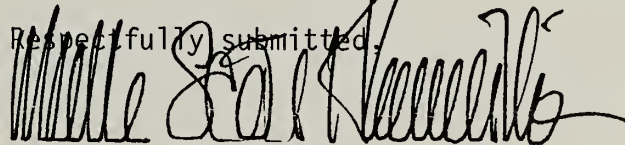
7. ADJOURNMENT

The December 9, 1992 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the basis of a general sense of Commissioners present at approximately 7:00 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m., on Wednesday, January 13, 1993, in a place yet to be settled upon. The "Specially Calendared Matters" agenda of the January meeting will be devoted to receipt of further public evidence and discussion as respects the cat-bird situation. The January meeting site will be noticed with the Public Documents Section of the San Francisco Public Library forthwith upon its becoming known to the Commission. Members of the public are invited to attend.

Dated: December 10, 1992

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over the typed name.

Mark Scott Hamilton  
Chairperson

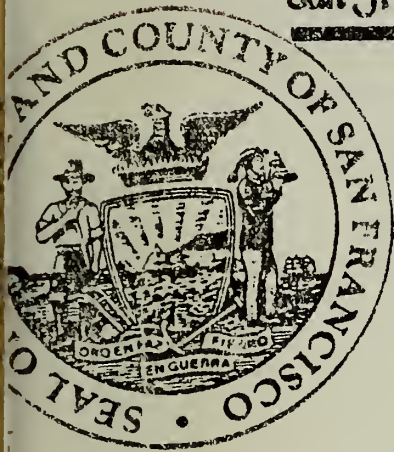








San Francisco Commission of Animal Control and Welfare



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NOTICE AND AGENDA OF JANUARY 1993 MEETING

The regular January meeting of the Commission Of Animal Control And Welfare will be held on Wednesday, January 13, 1993, commencing at 5:30 p.m.

Courtesy of Assemblyman John L. Burton, the January meeting will be held in Room 1194 (first floor) of the State Building located at 455 Golden Gate Avenue.

The meeting agenda will be limited to (1) Commission's annual meeting matters, and (2) further public discussion of the claim that feral (and pet) cats are killing wild birds in park, open space and other public lands in the City And County Of San Francisco.

Dated: December 28, 1992

A handwritten signature in black ink, reading "Mark Scott Hamilton".

Mark Scott Hamilton  
Chair



13/93

MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE  
MEETING

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On  
JANUARY 13, 1993  
At  
STATE BUILDING  
(Room 1194)

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular January 13, 1993, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton: Vice-Chairperson Dolores A. Donovan; Secretary Debra M. Fila, R.N; and, Commissioners Carl Friedman; Mark Hurley; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T.; Stan Mahy; and Dolly B. Trauner. (Commissioner Donovan arrived a few minutes late as indicated, hereafter in these Minutes.)

Commissioner(s) Absent: Commissioners Ben Gale, R.E.H.S. and Nancy Anne Schofield.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Nine Commissioners holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" was satisfied.

Upon the motion of Commissioner Friedman, seconded by Commissioner Trauner and thereafter voted upon unanimously in the affirmative, the absences of Commissioners Gale (absent on City And County business in Sacramento) and Schofield (out of State on Zoo business) were excused as provided by applicable ordinance.



2. Annual Election Of Commission Officers, Commissioner Friedman delivered the report of the Commission's ad hoc Nominating Committee resulting in the following nominations for 1993 officers:

"Mr. Chairman, The Commission's Nominating Committee (consisting of Commissioners Gale, Lippert and Friedman) submits the following nominations -

"For Chairperson: Commissioner Hamilton

"For Vice-Chairperson: Commissioner Donovan; and,

"For Secretary: Commissioner Trauner."

The foregoing nominations of the Nominating Committee were seconded by Commissioner Mahy who further moved that nominations be closed. The Chair deferred calling for a second on Commissioner Mahy's motion to close nominations until after response to the Chair's call for further nominations. That call resulted in no further nominations. Commissioner Hurley thereupon seconded Commissioner Mahy's motion to close nominations, upon which motion the vote of Commissioners present (Commissioner Donovan absent) was unanimous. Thereupon the officers nominated as reported above were elected by unanimous acclamation and the election declared closed by the Chair. (Commissioner Donovan arrives.)

2 (a). APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (December 9, 1992) MEETING

Upon the motion of Commissioner Lippert, seconded by Commissioner Trauner and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's December 9, 1992, meeting were accepted and filed without corrections.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To February Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - Absent)

(Deferred to February Meeting)





4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Absent)

(None As Such - Deferred to February Meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

(Deferred to February Meeting)

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Schofield - Absent)

5. SPECIALLY CALENDARED MATTERS - HEARINGS

The Commission's January meeting was specially calendared as a single-issue meeting devoted to the receipt of evidence, statements, testimony and open public discussion on the question of whether feral (and pet) cats are working a substantial predation upon wild birds in the City and County's parklands, open space areas and other areas (including areas within the jurisdiction of the National Park Service, United States Department Of Interior).

For purposes of these Minutes there has been appended hereto a rough unedited summary of the Commission's Secretary as to the remarks of most speakers. Reference may be had to the appended secretarial notes (marked "EXHIBIT A") for a summary of those comments. However, it must be borne in mind that these are not stenographic notes and do not purport to be verbatim in character.

(Continue To "EXHIBIT A")

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None)

7. ADJOURNMENT

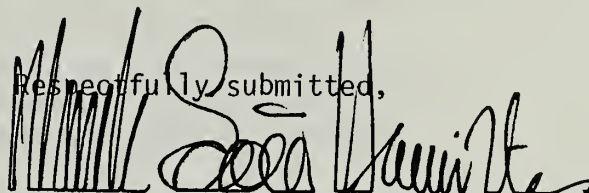
The January 13, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of Commissioner Lippert,



seconded by Commissioner Trauner at approximately 7:45 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, February 10, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: January 28, 1993

Respectfully submitted,  


Mark Scott Hamilton  
Chairperson



Martha Hoffman - Participating in managed feral cat colony effort; trapping, sterilizing, aborting if pregnant, and finding homes for cats considered placeable. She stated the colony is down to about 30 from an original 150 cats.

John B. Xavier - Member of Pets & Pals. Stated that drought and water diversion affect all wild life; stated that Cowbirds are a threat to smaller birds through parasites they transmit; stated that 50% of Song Sparrows' nests were found to be parasitized. Cats are not alone the cause of reduction in song bird population.

Dixie Mahy - Member of Pets & Pals and Sonoma Co. Humane Society. Stated that Golden Gate is a man-made park, built on former sand dunes bare of animals and vegetation. Believes that *managed* cat colonies are compatible with bird life. Pets & Pals has been managing a colony in Colma for some years; original cat population down to 17 from original 212.

Helen Embree - Feeds cats in G.G. Park. Manages a colony that is now down to one cat from original count; he is not tamable, so she dropped him back after getting him neutered & vaccinated. Stated that "houses" for cats were being smashed. Believes only 1/3 of cats dropped in G.G. Park by owners manage to survive.

John Jones, B.Sc. (and other titles) - Has walked one particular zone of G.G. Park for some years. All California Quail have disappeared from his area. Dogs also cause problems - as proof, he *exhibited a large, dead female cat* he claimed had been killed by a dog.

Anne Davis - Manages cat colony in Aquatic Park. One cat likes to scare pigeons, but does not try to catch them.

Camille Covell - Feeds cats in 4 areas of G.G. Park; has had them treated for illness and sterilized. About 20 cats in her colony. Has had problems with dogs not on leash. Sees raccoons in Park.

Robert Pettit - Stated that raccoons are proliferating.

Gail Hand (San Mateo Co.) - Spoke in place of Joan Wastlehuber, Dir., Cat Fancier's Assn. (a national organization), who attended the Commission's November, 1992 meeting but was unable to attend this meeting. The concept of Managed Homeless Cat Colonies is a new one. The San Francisco (and other?) SPCA formerly was not in favor of this activity. *However, cat colonies are created by the cats themselves, not by people.* Feral (homeless) cats have long been viewed by the public as pests despite their predation on rodents. People have become more animal-oriented in this era.

Bill Blogg (Tiburon) - Member of Cat Caring Connection; manages colonies. Networks with other managers. Problem is world-wide, and is being studied by various groups all over the world. Feels that cat suffering to an end. Colony at Fort Baker reduced from 50 cats to 5. He feeds over 600 cats per day, of which 75% have been sterilized; over 100 adult cats have been placed as pets, and over 100 kittens as well.

Renee Corbo - Member of Pets & Pals, Cat Caring Connection, and Streetcat Rescue Team. Has been spaying & neutering & vaccinating animals for human aged and homeless. Tries to educate owners who are dumping cats. Has worked at various humane societies in Arizona, and is sickened by the great numbers of cats and other pets being euthanized.

Ms. M.L. Gooding - Feels no one has said enough about the growing raccoon population.

Robert Berg - Member of VMAC Feral Cat Program. Read report, "The Effects of Predation by Feral Cats on the Songbird Population of Golden Gate Park.". *(Subsequent comment by Commission Chairperson Hamilton, "This is the kind of evidence this Commission needs, and needs more of, in order to formulate a position on this whole matter")*

Nikkie Dillon - Docent at DeYoung Museum. Park gardeners have pointed out that cats keep down not only rodents, but also the rabbits that eat the plantings.

# EXHIBIT A





Keiko Kuroda - A North Beach resident. Sees stray cats and takes care of 5 or 6. Suggests network of groups for a unified program of managed colonies. Is concerned on how to overcome the reluctance of some owners to have cats sterilized, apart from the question of cost.

David Jin - Ex-jockey at Golden Gates Fields. This is a popular place to dump cats and litters of kittens, also ducks, geese and other pets and animals. The public seems to feel that people working there must like animals and know how to take care of them. Has seen more birds killed by cars than by cats. Keeps and feeds stray cats.

Roberta Foster - (Present, but had nothing further to add to what had been said).

Joan Bush - Member, Streetcat Rescue Team. Has been active in trapping, sterilizing, healing, vaccinating and releasing homeless cats.

Ann White - Spoke briefly and emotionally about the problem.

Jan Bernard - Adopted 2 kittens from a feral litter. She and Helen Embree go every day to manage a colony. Numbers in colony down from 80 to 20. These cats have caught rats and are not into killing birds. Referred to underbrush removal in G.G. Park; noted that when underbrush went, so did the birds.

Alice E. Partanen - (Pescadero) Member, National Pet Alliance; Docent at Anno Nuevo. This is the Year of the Cat. Advocates trapping; testing for disease; vaccination; sterilization and release.

Alan Hopkins - Golden Gate Audubon Society. Is looking at the Health and Penal Codes of the City and County of San Francisco. Plans to submit recommendations of this Society. They are also looking into solutions for pollution problems. (*Commissioner Trauner asked that a copy of the Annual New Year's Day bird count by this Society be sent to the Commission.*)

Persons submitting written requests to speak during the November 12 meeting, but who did not respond and were presumed absent when their names were called at the January 13, 1993 meeting:

Cottrell, Liz; Cox, Cynthia; Deutsch, Barbara; Daugherty, James; Frohwein, Liz; Gean, Alisa D., M.D.; Idiart, Marie Louise; Kurtz, Al; Lehmann, Michael; Lipinski, Tim; Lippay, Jeanne; Lowman, Ken; Quintal, Carmen; Shapiro, Jean; Smith, Mrs. R.L.; Sypher, Bob.

Commissioner Friedman asked for a show of hands regarding favoring the spaying and neutering of cats. By show of hands, a clear majority of those present indicated an affirmative response.

Addendum to these Minutes enclosed:

- 1) Letter from Martha Hoffman to Chairperson Hamilton, indicating that copies had been sent by her to 12 additional State, County and City authorities.
- 2) Letter to fellow Commissioners from Commissioner Mahy.
- 3) Copy of report read aloud during meeting by Robert Berg.



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MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

On

1/11/FEBRUARY 10, 1993

At

STATE BUILDING

(Room 1194)

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular February 10, 1993, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton: Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; and, Commissioners Ben Gale, R.E.H.S.; Mark Hurley; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T., and Stan Mahy. Commissioner Carl Friedman was engaged in City And County business elsewhere and had delegated Captain Lorrie Feazell of the Department Of Animal Care And Control to sit in his place.

Commissioner(s) Absent: Commissioners Debra M. Fila, R.N. and Nancy Anne Schofield.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Nine Commissioners (or thier designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" was satisfied.

Upon the motion of Commissioner Gale, seconded by Commissioner Hurley and thereafter voted upon unanimously in the affirmative, the absences of Commissioners Fila (absent on business) and Schofield (out of State on Zoo business) were excused as provided by applicable ordinance.



2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (JANUARY 13, 1993) MEETING

Upon the motion of Commissioner Hurley, seconded by Commissioner Mahy, and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's January 13, 1993, meeting were accepted and filed without corrections.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To March Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - None)

(Deferred to March Meeting)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None)

(None As Such - Deferred to March Meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - Present By Designate)

(Deferred to March Meeting)

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner Nancy Schofield - Absent)

5. SPECIALLY CALENDARED MATTERS - HEARINGS

The Commission's January meeting was flexibly calendared as a single-issue meeting devoted to drafting and enactment of a resolution appropriately memorializing its determinations and recommendations as respects the question of whether feral (and pet) cats are working a substantial predation upon wild birds in the City and County's parklands, open space areas and other areas (including areas within the jurisdiction of the National Park Service, United States Department Of Interior).

After lengthy discussion, a motion by Commissioner Mahy, seconded by Secretary





Trauner, and related amendatory motions, the Commission voted unanimously to enact such a resolution in the form of Resolution No. 2/10/93A, a machine copy of which is attached to these Minutes and its content incorporated herein by this reference.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

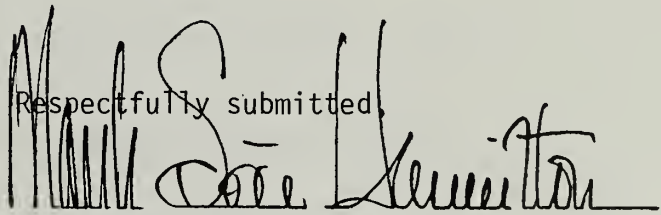
Despite the fact that its Resolution No. 2/10/93A had removed the feral cat/wild bird matter from the Commissioner's continuing calendar, the Commission agreed to hear a few additional remarks from members of the public on the issue because of their presence for that purpose in the meeting room. Members of the public so speaking were Dixie Mahy, Mary Huber and Joan North (the latter of whom strongly urged enactment of a City And County cat licensing ordinance).

7. ADJOURNMENT

The February 10, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of Commissioner Lippert, seconded by Secretary Trauner; at approximately 7:00 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, March 11, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: February 11, 1993

Respectfully submitted,  
  
Mark Scott Hamilton  
Chairperson



City And County Of San Francisco  
COMMISSION OF ANIMAL CONTTROL AND WELFARE

RESOLUTION No. 2/10/93 A

WHEREAS, at the request of the President of the Recreation And Park Commission  
Of the City And County Of San Francisco the Commission Of Animal Control And  
Welfare (hereafter "The Commission") has held 6 public meetings to investigate  
complaints and to take evidence about cat predation upon wild birds in Golden  
Gate Park and in other lands within the geographical boundries of the City And  
County; and,

WHEREAS, public testimony of diverse character has been taken and several hundred  
communications received on the subject of the impact of cats on wild birds within  
the geographical limits of the City and County; and,

WHEREAS, to date there has been insufficient evidence produced to justify a finding  
that there has been any substantial reduction in numbers of wild birds in the areas  
involved, and particularly to the extent that any reduction in bird census might  
be due to cat predation --

NOW THEREFORE, The Commission finds, determines and recommends that such entities  
and organizations as the Society For Prevention of Cruelty to Animals, Pets and  
Pals, The San Francisco Veterinary Medical Association, The Streetcat Rescue Team,



and other concerned groups and individuals including the Recreation And Park Department and Department Of Animal Care And Control (to the extent deemed appropriate and necessary by their Director and General Manager, respectively), be encouraged to investigate and introduce lawful and humane solutions to what appears to the Commission from the evidence to be a substantial overpopulation of cats (both feral and pets) within the City and County; and,

The Commission further directs that its Chair send a formal request to San Francisco State University (Department of Ecology) to the effect that a graduate student or students be assigned to conduct a natural systems study of Golden Gate Park and other City and County lands and open spaces including, but not limited to the impact of all species (including humans), weather (e.g., drought), pesticides and herbicides, undergrowth removal and audio environment (such as loud music and entertainment activities) and other factors upon wild birds; and,

The Commission further directs its Chair to cause the Board of Supervisors and the Director of the The Department Of Animal Care And Control and General Manager of the Recreation And Park Department to be notified appropriately of these findings and in particular of the Commission's conclusions recommending that no action be taken by the Board of Supervisors or concerned Departments of the City and County as respects the cat overpopulation situation until conclusion of the recommended system studied requested to be conducted by the Department of Ecology of San Francisco State University, which recommendations and determinations of the





Commission shall be communicated to the Board of Supervisors, to The Department  
Of Animal Care And Control and to the President of The Recreation And Park  
Commission in the form of this resolution covered by a letter from the Commission's  
Chairperson.

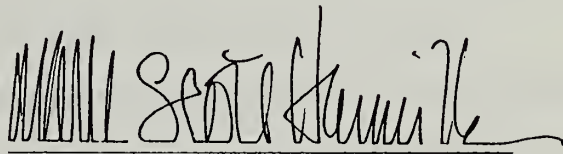
Resolutions Jointly Moved By Commissioners Mahy and Trauner, and

Resolutions Seconded By Commissioner Hurley

Vote On Resolution: Unanimous (Chairperson abstaining, there being no tie to  
break; and, Commissioners Fila and Schofield absent and not voting).

DONE IN OPEN, PUBLIC HEARING

February 10, 1993

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

MARK SCOTT HAMILTON  
Chair Person



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COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

ON

MARCH 10, 1993

AT

STATE BUILDING

(Room 1194)

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular March 10, 1993, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton: Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; and, Commissioners Ben Gale, R.E.H.S.; Mark Hurley; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T., and Stan Mahy.

Commissioner(s) Absent: None.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

All eleven Commissioners (or their designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" was satisfied.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR (JANUARY 13, 1993) MEETING

Upon the motion of Commissioner Mahy, seconded by Commissioner Hurley, and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's



February 10, 1993, meeting were accepted and filed with the date "March 11" corrected to read March 10" in the concluding sentence thereof.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To April Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - None - Deferred to April meeting)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None - Deferred to April meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - None - Deferred to April meeting)

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate David Robinett - None - Deferred to April Meeting)

5. SPECIALLY CALENDARED MATTERS - HEARINGS

(NONE)

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Commissioner Lippert inquired of Commissioner-designate Robinett as to published reports relating to the Zoo's possible acquisition of a panda or pandas. Commissioner Lippert expressed concern that from the published reports it appeared that political, rather than scientific, considerations might be involved. Mr. Robinett replied that the Zoo's membership in relevant zoological associations and its commitment to comply with decisions made by such associations allow the Zoo to obtain and display endangered





species such as pandas only when, as and if authorized by regulations and directives of the relevant association.

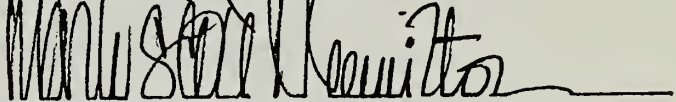
7. ADJOURNMENT

The March 10, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of Commissioner Lippert, seconded by Secretary Trauner; at approximately 6:15 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, April<sup>14</sup>, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: March 11, 1993

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', with a large, stylized flourish above it.

Mark Scott Hamilton  
Chairperson



SF  
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42  
4/14/93  
COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

ON

APRIL 14, 1993

AT

STATE BUILDING

(Room 1194)

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MAY 13 1993

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1. CALL TO ORDER AND ROLL CALL

Commission chairperson Mark Scott Hamilton called the regular April 14, 1993, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; and, Commissioners John Aikin; Carl Friedman; Ben Gale, R.E.H.S.; Mark Hurley; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T., and Stan Mahy.

Commissioner(s) Absent: Vice-Chairperson Dolores A. Donovan, Secretary Dolly B. Trauner; and, Commissioner Debra M. Fila, R.N., were absent due to illnesses and their absences were formally excused as required by applicable law upon the motion of Commissioner Mahy, seconded by Commissioner Hurley and upon unanimous vote on the issue, the Chairperson abstaining because there was no tie to break.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.



Eight Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" was satisfied.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

(APRIL 14, 1993 MEETING

Upon the motion of Commissioner Hurley, seconded by Commissioner Gale, and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's March 10, 1993, meeting were accepted and filed with the date "JANUARY 13, 1993" corrected to read "FEBRUARY 10, 1993" in the title to Paragraph No. 2 thereof.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To May Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - None - Deferred to May meeting)

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None - Deferred to May meeting)

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman reported briefly concerning anticipated effects of the municipal "budget crisis" upon the Department Of Animal Care And Control. The projected Department budget cutback is anticipated to leave to personnel positions (presently vacant)





unfilled, to result in a cutback of hours during which the Department would be open to the public (except for emergencies) and other "field cutbacks." He will keep the Commission currently advised as budget matters develop.

#### 4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate John Aikin - None - Deferred to May meeting)

#### 5. SPECIALY CALENDARED MATTERS - HEARINGS

(a) The Commission further considered the language of a laudatory resolution memorializing the resignation and new out-of-state assignment of Deputy Director Kenneth White of the Department Of Animal Care And Control. All Commissioners present joined in moving, seconding and affirmatively voting up such a resolution, a copy of which is attached hereto as "EXHIBIT 1."

(b) The Chairperson delivered to all Commissioners copies of the Commission's letter of March 2 to the Department Of Biology, California State University-San Francisco concerning the effect(s) upon wild birds in City And County parklands of introduced agents such as feral cats, drought, human presence, etc. Thereafter, the Chairperson delivered copies of the University's response dated March 23 (which suggested use of Proposition E Open Space Funds) to fund such a study). The Chairperson was directed to communicate with the President of The Park And Recreation Commission in that regard. Copies of both of the aforementioned letters are attached hereto and marked "EXHIBIT 2" and "EXHIBIT 3," respectively.



6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(a) Mrs. Stan ("Dixie") Mahy spoke briefly concerning the feral cat situation as it is involved in the Golden Gate National Recreation Area "master plan" presently in course of development.

(b) Commissioner Lippert questioned Commissioner-designate Aiken briefly about developments as respects "privatization" and/or closing of the Zoo.

(c) Miss Felicia Madriz spoke at some length concerning her wish that the present limit on number of animals per household be increased. She emphasized her thoughts in that regard by recounting a problem her family had experienced as respects investigations recently conducted by the Department Of Public Health and Department Of Animal Care And Control concerning a complaint that her family's household sheltered a number of pets in excess of ordinance limitations. She was invited by the Chairperson to return to discuss her grievances in greater detail at the Commission's May 12 meeting.

7. HEARINGS - None

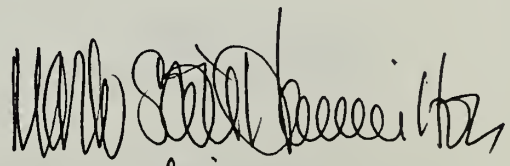
8. ADJOURNMENT

The April 14, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of Commissioner Friedman, seconded by Commissioner Hurley, at approximately 7:00 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, May 12, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: April 15, 1993

Page Four

  
Chairperson



## COMMISSION OF ANIMAL CONTROL AND WELFARE



IN THE MATTER OF THE RESIGNATION OF

KENNETH WHITE

from the

DEPARTMENT OF ANIMAL CARE AND CONTROL

**WHEREAS**, Kenneth White has been a dedicated employee of the San Francisco Department of Animal Care and Control as its Deputy Director; and,

**WHEREAS**, Kenneth White has exhibited extraordinary ability in performing his duties; and

**WHEREAS**, Kenneth White's devotion and ingenuity in helping to create the Department of Animal Care and Control of the City & County of San Francisco is to be heartily commended;

**NOW THEREFORE IT IS HEREBY RESOLVED**, that the Commission Of Animal Control And Welfare of the City & County of San Francisco offers its gratitude and extends its best wishes to Kenneth White on the occasion of his resignation as Deputy Director of the San Francisco Department of Animal Care and Control; and

**IT IS FURTHER RESOLVED**, that on behalf of the City and County of San Francisco, the Commission of Animal Control and Welfare thanks Kenneth White for his contributions on behalf of the animals and citizens of this community;

Dated: April 14, 1993

COMMISSION OF ANIMAL CONTROL AND WELFARE  
OF  
THE CITY AND COUNTY OF SAN FRANCISCO

---

MARK SCOTT HAMILTON  
Chairperson

As Secretary thereof, I hereby certify that the foregoing Resolution was unanimously enacted by the Commission Of Animal Control And Welfare - a quorum of Commissioners entitled to vote being then present - at its regular April 14, 1993 meeting.

Dated: April 14, 1993

By: 

---

DOLLY B. TRAUNER  
Commission Secretary

EXHIBIT A









City Hall  
San Francisco, California 94102  
(415) 552-1898

March 2, 1993

John E. Hafernik, Ph. D.  
Chairman  
Department of Biology  
California State University - San Francisco  
1600 Holloway Avenue  
San Francisco, California 94132

Re: Feral Cat/Wild Bird Predation  
CCSF Parks/Open Space Lands

Dear Doctor Hafernik:

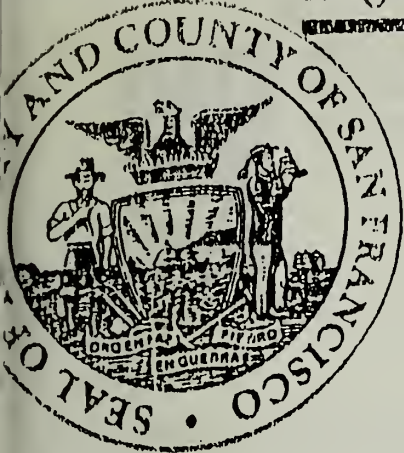
As you will see from the attached copy of this Commission's Resolution No. 2/10/93A, concerned Commissions and Departments of The City And County (together with concerned animal humane and other public organizations) have held public hearings for the past several months as respects reports that there has been substantial predation upon wild bird populations in public and other lands within the geographical boundaries of The City And County. As content of the enclosed Resolution reflects, the evidence presented to the Commission has not been insufficient to justify a finding that cat (feral or pet) predation upon wild birds has been sufficiently substantial presently to justify legislation.

However, it was the unanimous finding of the Commission (supported by the near-unanimous sense of public contributors to our hearings - including cat fanciers) that there appears "... to be a substantial overpopulation of cats (both feral and pet) within The City And county ..." As Commission Chair, I was directed formally to request of the appropriate Department of the University (evidently the Department of Biology) -

"... that a graduate student or student or students be assigned to conduct a natural systems study of Golden Gate Park and other City And County lands and open spaces, including, but not limited to the impact of all species (including humans), weather (e.g., drought), pesticides and herbicides, undergrowth removal and audio environment (such as loud music and entertainment activities) and other factors upon wild birds ..."

Will you be kind enough to consider what assistance, if any, your Department may be able to provide this Commission and The Recreation And Park Commission as respects





City Hall  
San Francisco, California 94102  
(415) 552-1898

the problem which is somewhat vaguely characterized in the enclosed Resolution?

I can best be reached for your purposes on my personal (private) telephone number which is 431-5269.

Thank you for whatever assistance you can provide or recommend.

Very truly yours,  
A handwritten signature in dark ink, appearing to read "Mark Scott Hamilton".

Mark Scott Hamilton  
Chair

Commission Of Animal Control and Welfare

4987(93):MSH:tp

cc: Honorable Carol Migden, Member  
Board Of Supervisors  
City Hall - Room 235  
San Francisco, California 94102

Honorable Trent W. Orr, President  
Recreation And Park Commission

All Commissioners





San Francisco State University  
1600 Holloway Avenue  
San Francisco, California 94132

Department of Biology  
Telephone 415/338-1548  
Facsimile 415/338-2295

March 23, 1993

Mr. Mark Scott Hamilton  
Chair  
Commission of Animal Control and Welfare  
City Hall  
San Francisco, CA 94102

Subject: Feral Cat/Wild Bird Predation on CCSF Parks and Open Space Lands

Dear Mr. Hamilton:

This will confirm our conversation this afternoon regarding your letter of March 2, 1993 and the enclosed Resolution No. 2/10/93 A of the Commission of Animal Control and Welfare.

I am Coordinator for the Conservation Biology Program at San Francisco State. Dr. Hafernik requested that I respond to your inquiry.

We can appreciate the difficult position of your commission on the sensitive issue that is the subject of your request. Although the impact of feral cats on indigenous bird populations seems to logically be detrimental, there is a paucity of scientific research designed specifically to analyse this and other related problems. In the face of powerful emotions among feral cat advocates and little data that elucidates this problem, a stalemate is the likely result. Unfortunately, a stalemate results in inaction and, if there is a bonafide problem, that problem will only get worse with time.

We will bring this matter to the attention of our avian biologist, Dr. Tom Smith. Dr. Smith is also a conservation biologist and would be the likely major professor for future research projects that might address this issue.

While we will do what we can to encourage graduate students to focus on this problem as a research project, it would be most helpful if some modest funding could be found to support such research. In that regard, I suggest that designated Proposition E Open Space funds might be an appropriate tool to provide such support. I am aware that funds have been earmarked to prepare and implement a plan to manage San Francisco's remaining natural areas. While the emphasis of this plan will be on the identification, preservation and restoration of the natural vegetation that constitutes the basis for these remnant habitats, there also should be



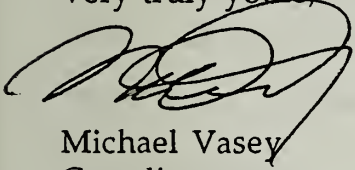


an effort paid to conserving our indigenous wildlife (birds, mammals, frogs, lizards, and insects) as well. In my view, feral cats are probably one of the most important threats to native wildlife and an appropriate management plan for San Francisco's natural areas should face this issue squarely by conducting the research needed to either prove or disprove this assertion and also to come up with appropriate and humane management recommendations.

I suggest that you request that the Parks and Recreation Commission direct that some provision be made for future funding of this research through the Open Space funds.

Thank you for bringing this matter to our attention and we sincerely hope that we may be of future service in addressing this issue.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael Vasey', written over the closing 'yours' of the previous line.

Michael Vasey  
Coordinator  
Conservation Biology Program

cc: Dr. John Hafernik  
Dr. Tom Smith



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MINUTES

// COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

ON

/// MAY 12, 1993

AT

STATE BUILDING

(Room 1194)

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JUN 4 1993

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular May 12, 1993, meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Commission Secretary Dolly B. Trauner; Commissioners or Commissioners-designate John Aikin; Carl Friedman; Debra M. Fila, R.N.; Ben Gale, R.E.H.S.; Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: Vice-Chairperson Dolores A. Donovan and Commissioner-designate Mark Hurley were absent due to illness in the family and City and County vacation, and their absences were formally excused as required by applicable law upon the motion of Commissioner Mahy, seconded by Commissioner Lippert and upon unanimous vote on the issue, the Chairperson abstaining because there was no tie to break.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.



Nine Commissioners (or their lawful designates) holding valid appointments being preset, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

APRIL 14, 1993 MEETING

Upon the motion of Secretary Trauner, seconded by Commissioner Lippert, and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's April 14, 1993 meeting were accepted and filed.

3. CHAIRPERSON'S REPORT

(None As Such - Deferred To June Meeting)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - None - deferred to June Meeting).

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None - deferred to June meeting).

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman reported that budget restraints will cause his department to lose at least 2 employee-positions and cause adoption and related service hours to be cut back to Noon until six p.m. Emergency matters will be handled "as usual." Other services cutbacks are "in the offing."





#### 4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate John Aikin)

Commissioner-designate John Aiken reported that prospects for the City-Zoological Society operating agreement for the Zoo "look good." The Society appears to be "working towards" its \$10,000,000 "Founders Fund" target. Details of the underlying lease agreement are being studied by the City Attorney's Office.

Commissioner Aiken further reported that "Topo," the African lion has had a vasectomy so he cannot be bred. "Topo's" origins are unknown. It is not known whether he was wild-bred or captive-bred. He is not listed in the African lion stud books.

Commissioner-designate Aiken also reported that a team from the National Zoo Health Department, has been working with Zoo personnel to "enhance reproductivity opportunities" in exotic cats (such as the Zoo's snow leopards and Sumatran tiger). Ova and semen have been taken for freezing and potential future use.

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

(a) Kenneth White Resolution: The Chairperson delivered to Commissioner Friedman for presentation an appropriately framed original of the Commission's laudatory resolution of April 14, 1993. Commissioner Friedman then presented the resolution to Deputy Director Kenneth White of the Department Of Animal Care and Control in prospect of Mr. White's forthcoming termination of City and County employment and travel East to assume new employment by the Humane Society Of The United States. All Commissioners present congratulated Mr. White.



(b) May 1 Bernal Heights Dog Shooting Matter. The Chairperson outlined briefly the substance of informal reports to the Commission relative to a police officer's shooting of a husky-type dog on May 1 in the Bernal Heights area.

The Commission Secretary's resume of her notes concerning intra-Commission and public discussion of this matter is separately attached to these Minutes and marked "APPENDIX A." Upon conclusion of public discussion on the matter, the matter was carried forward to the Commission's June 9 meeting agenda.

(c) Madriz Complaint (Department Of Public Health): Miss Felecia Madriz and her mother were again present to discuss further their respective complaints concerning handling of an investigation by the Department Of Public Health of the numbers and condition of pet-type animals kept at the Madriz residence. A separate resume of the notes on this subject taken by the Commission Secretary is attached to this Minutes as part of "APPENDIX A."

#### 6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Laurella Harris reported that the final hearing is forthcoming on the issue of whether mountain lions are fair game for licensed hunting in the future. Habitat conservation is an important consideration in the mountain lion situation.

#### 7. HEARINGS - None

#### 8. ADJOURNMENT

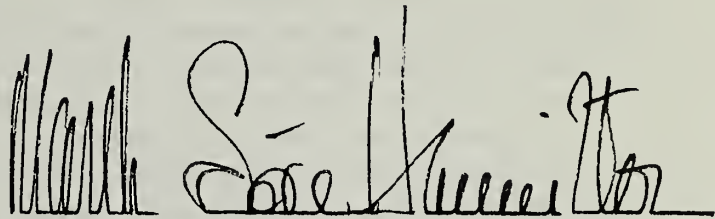
The May 12, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned upon the motion of



Commissioner Friedman, seconded by Commissioner-designate Aiken, at approximately 7:00 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, June 9, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: May 13, 1993

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton". The signature is written in a cursive, somewhat stylized script. It is positioned above a horizontal line.

Mark Scott Hamilton  
Chairperson





The report on a dog shot by a police officer is being investigated by the Office of Citizens' Complaints, the Police Commission, and the Bureau of Internal Affairs. Carl Friedman was out of town on the date of this event and has no first hand knowledge. There was no prior call to the Animal Control facility prior to the shooting. Carl has offered to lecture the students at the Police Academy concerning the manner of handling animal complaints & problems.

Mr. Norton, owner of the dog that was shot, admitted culpability that the dog was loose on the street. It was reported the dog had gotten loose last fall and had bitten a female postal worker who occasionally takes the place of the regular male worker. On this most recent occasion, a neighbor warned the male postal worker, a Mr. Leema (sp?), that there were two dogs loose. Mr. Leema was delivering mail to the home of a person he knew to be a policeman. There are conflicting stories of what happened thereafter. One story says that Mr. Leema asked the officer to go with him into the cul-de-sac where he was about to deliver mail, and where the dogs were loose. Another says that Mr. Leema said he would not deliver mail in that area on this day, as he is allowed to do by law when a possibly dangerous dog is loose, but that the officer insisted on accompanying him to complete deliveries. It is assumed that Mr. Leema knew that his female co-worker had been bitten by one of these dogs some months earlier. One story has it that Mr. Leema and the officer went into the cul-de-sac and were confronted by two dogs, both belonging to Mr. Norton, and that Mr. Leema suggested he spray the dogs with the repellant he had with him - and that all postal workers are provided with. Another story has it that the policeman told Mr. Leema not to spray the repellant, that he would handle it. Of the next moves, one version states that the officer fired a warning shot that scared one dog into running away, but that the other dog continued to menace Mr. Leema and the officer, at which point the officer shot the dog. Another version says there was no warning shot, and the officer fired just one shot hitting the dog. The dog was taken to Pets Unlimited where it was treated and did recover from the wound and subsequent surgery.

The questions concerning the above are: Why did the officer insist that Mr. Leema continue his deliveries, and that he accompany Mr. Leema, when it was known that (a) a known vicious dog was loose in the area, and (b) that Mr. Leema was not required to continue deliveries in the face of possible danger? Why did the officer not call Animal Control upon being notified that a vicious dog was loose in the area? Why did the officer order Mr. Leema not to use the dog repellant spray? Did the officer fire a warning shot; and if so, in what direction? What amount of indoctrination had this officer received previously on the proper method of responding to a possibly vicious dog situation?

The above matter is to stay on the Agenda for further information.

Felecia Madriz had previously submitted a written appeal concerning actions taken against her for having above the allowed number of dogs and cats, and for not maintaining them properly. She was present, but did not speak when called upon. Her mother was present and repeated the arguments contained in the previous appeal.



/// MINUTES

// COMMISSION OF ANIMAL CONTROL AND WELFARE

MEETING

ON

JUNE 9, 1993

AT

STATE BUILDING

(Room 1194)

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular June 9, 1993 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Commissioners or Commissioners-designate John Aikin; Carl Friedman; Debra M. Fila, R.N.; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioner Kenneth Gorczyca, D.V.M.; and Commissioner-designate Ben Gale, R.E.H.S. Absences were due to illness and City and County business elsewhere, and those absences were formally excused as required by applicable law upon the motion of Commissioner Mahy, seconded by Commissioner Friedman and upon unanimous vote on the issue, the Chairperson abstaining because there was no tie to break.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.



Six Commissioners (or their lawful designates) holding valid appointments being preset, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

MAY 12, 1993

Upon the motion of Commissioner Mahy, seconded by Commissioner-designate Hurley, and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's May 12, 1993 meeting were accepted and filed.

3. CHAIRPERSON'S REPORT

Chairperson Hamilton reported briefly on several matters which occurred between the Commissioner's May and June meeting.

As respects the "cat-bird" situation in Golden Gate Park in particular and in other City And County park and open-space lands in general, it was reported that the matter of further study of the situation by graduate students from California State University/San Francisco has been turned back to Ms. Deborah Learner, the Park And Recreation Department for further arrangements and proceedings not in consistent with the Commissioner's Resolution No. 2/10/93A.

The Chairperson reported that further discussion of the problem which the Madriz Family perceived it was experiencing with the Department Of Public Health (as respects complaints that the Madriz Family maintained too many dogs and/or cats on their residence premises as reported in the Minutes of the Commissioner's May 12, 1993 meeting) will be continued to the July meeting and the request of Mrs. Madriz. In the interim, Commissioner-designate Gale has





reported to Chairperson Hamilton by phone that the Madriz Family has not recontacted The Department Of Public Health as suggested to them.

It was reported that on June 10 Chairperson Hamilton (representing The Commission); Commissioner Mahy (representing Pets And Pals) and Commissioner Friedman (in his capacity as Director of the Department Of Animal Care And Control) attended a multi-party meeting called and chaired by Park And Recreation Department Planner Deborah Learner to discuss inclusion of appropriate terminology as respect feral cat treatment in the long range plan for Golden Gate Park. The discussion was reported as having been frank and thoughtful. The Commissioner's Chairperson reminded Ms. Learner that all matters in any way bearing upon animal matters of any kind proposed to be included in the subject master plan ought to be first referred to this Commission for consideration. Ms. Learner agreed that such reference would be made before any provisions relating to animals became final in the plan.

Finally, it was reported to the Commission by Commissioner Friedman and the Chair that this meeting of the Commission (the is, the June meeting) would probably be the last meeting at which longtime Commissioner-designate Mark Hurley (representing the Chief of Police) would be in attendance. Officer Hurley will be retiring. It was the sense of the Commission that if the Chief of Police is not present or represented at the Commission's July meeting, the Chair should be directed to write an appropriate letter requesting either the Chief's attendance or the written designation of a Commissioner-designate to replace Officer Hurley. Further, Commissioners Friedman and Hamilton will formulate an appropriate Commission resolution of commendation memorializing Officer Hurley's long service on the Commission and to the City And County.



#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, S.F.P.D. - Deferred to June Meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None - Deferred to June meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman reported further concerning budget restraints causing his department to lose at least 2 employee-positions and cause adoption and related service hours to be cut back to Noon until 6:00 p.m. As reported at the Commissions June Meeting, emergency matters will be handled "as-usual." Other services cutbacks are "in the offing." The Independence Day holiday will be the first major holiday reflecting these cut-backs.

There has been reported to the Department Of Animal Care And Control that 2 confirmed cases of rabid bats have been discovered in the South of Market area.

##### 4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate John Aikin)

Commissioner-designate John Aiken reported that prospects for the City-Zoological Society operating agreement for the Zoo continue to "look good." The new play is expected to be before the Board of Supervisors very soon.

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

(a) Norton (May 1 - Bernal Heights) Dog-shooting Episode. Continued to July meeting.



(b) Madriz Family Complaint (Department Of Public Health): This was carried forward to the Commission's July Meeting at the request of the Madriz Family. The matter will be dropped from the Commissioner's calendar if not pressed further by the Madriz Family at or before the Commission's July Meeting.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Mrs. Dixie Mahy handed up to the Commission a resolution of the "Sunset-Richmond Greens" concerning Feral cats. It will be received and filed without further Commission action, none having been requested. A copy is attached to these minutes and marked "EXHIBIT A."

7. HEARINGS - NONE

8. ADJOURNMENT

The June 9, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, July 14, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: June 10, 1993

**MARK SCOTT HAMILTON**

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Mark Scott Hamilton  
Chairperson





TO THE SAN FRANCISCO COMMISSION ON ANIMAL CONTROL AND WELFARE

Mark Hamilton, Chairman

Re.: Golden Gate Park Master Plan and Feral Cats

Resolution from the Sunset-Richmond Greens Party

Be it resolved that the Sunset-Richmond Greens recommend the following revision to the draft Master Plan for Golden Gate Park:

(To Revise the April 28th, 1993 Draft, Objective III - Policy E - Wildlife and Habitat)

5. Abandoned cats will continue to be a problem faced by an urban park. A collaborative effort involving concerned individuals, public agencies (Recreation & Parks, Animal Control & Welfare), private humane organizations (including Pets & Pals and the S.F. S.P.C.A.) should coordinate efforts to discourage pet abandonment, establish a managed colony program that will humanely deal with rehabilitation/adoption of appropriate animals, and subsidized spaying/neutering and inoculation of feral animals. Euthanasia is recommended only for those animals that test positive for terminal, communicable diseases and in a manner agreed upon by the aforementioned organizations. The goal of these efforts will be to reduce feral cat populations in the park, coordinate and support management efforts, and minimize impact on the park environment. ||

**EXHIBIT A**



AUG 10 1993

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## MINUTES

// COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

JULY 14, 1993

AT

STATE BUILDING

(Room 1194)

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular July 14, 1993 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Secretary Dolly B. Trauner; Commissioners or Commissioners-designate John Aikin; Carl Friedman; Ben Gale, R.E.H.S.; Kenneth Gorezyca, D.V.M.; and, Ronald Lippert, A.H.T.,

Commissioner(s) Absent: Vice-Chairperson Dolores A. Donovan; and Commissioners Stan Mahy and Debra M. Fila, R.N. Neither the Chief of Police nor his designate were present, and no communication had been received therefrom.

The absences of Commissioners Fila and Mahy were reported prior to the meeting as being attributable to need of their being elsewhere on animal-related business, and those absences were formally excused as required by applicable law upon the motion of Secretary Trauner, seconded by Commissioner-designate Gale and upon unanimous vote on the issue, the Chairperson abstaining because there was no tie to break.



The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting, except as otherwise disclosed in these Minutes.

Seven Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" (50% of those eligible to vote) was satisfied.

2. APPROVAL OF MINUTES OF NEXT-PRIOR  
(JUNE 9, 1993) MEETING

Upon motion of Commissioner Friedman, seconded by Commissioner Lippert, thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break) the Minutes of the Commission's June 9, 1993 meeting were accepted as presented and filed.

3. CHAIRPERSON'S REPORT

(None)

4. COMMITTEE REPORTS

4(a) REPORT OF POLICE DEPARTMENT

(Chief of Police Anthony Riberta-Absent)

Neither the Chief of Police nor his Commissioner-designate being present (and former Commissioner-designate Mark Hurley having retired from City And





County employment since the Commission's June 9 meeting), there was no report from the Police Department.

4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S.)

None. Deferred to Commission's August Meeting.

4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman reported briefly upon the staff-cut and hours-curtailling effects of newly instituted budget cuts upon his department.

Commissioner Friedman reported further that he had still received no indication from Chief of Police Ribera (the Police Department Commissioner-representative designated by ordinance) concerning whether Chief Ribera would participate in Commission affairs as Commissioner or, if not, the identity of his Commissioner-designate.

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate John Aiken)

Commissioner-designate Aiken reported that negotiations between the Recreation And Park Department and The San Francisco Zoological Park on the one hand and the Zoological Society on the other as respects proposed changes in operation of the Zoo were continuing, but that ultimate agreement appeared likely.



Commissioner-designate Aiken further reported concerning testing of the Zoo's American Bison collection presently quartered at the San Bruno Prison for tuberculosis had resulted in positive findings and that, as a result, those animals had been quarantened.

## 5. SPECIALLY CALENDERED MATTERS

(a) Mark Hurley Resolution. Chairperson Hamilton ceded the Chair to Secretary Trauner in order properly to allow him to present a formal resolution of commendation for Commission approval commending San Francisco Police Office and longtime Commissioner-designate Mark Hurley for his long service. Adoption of such a resolution (being Commission Resolution No. 7/14/93-A) was moved by Commissioner Hamilton in the form and substance attached to these Minutes as "APPENDIX A," seconded by Commissioner Friedman and thereafter unanimously adopted by Commissioners present, Chairperson Pro Tempore Trauner abstaining, there being no tie to break. Thereafter, Chairperson Hamilton reclaimed the Chair and Secretary Trauner deferred and stepped down as Chair. It was the spoken sense of Commissioner's present that the Chair should communicate with Chief of Police Ribera concerning the latter's participation in Commission activities or his designation of a Commissioner-designate to represent the interests of the Police Department as provided and required by law.

(b) Madriz Family Matters. The Madriz family appeared at the Commission's April meeting and was heard as respects several criticisms of handling by representatives of the Department of Public Health of complaint(s) received by the latter Department about the number and care of animals at the Madriz residence and about resulting unsanitary conditions of that premises and the



suggestion of the Madriz family that present limitations upon numbers of animals permitted by ordinance in residential premises be amended upwards. The Madriz family further requested that matters relating to the Department of Public Health be continued until the Commission's May meeting for further discussion after the designated representative of the Department of Public Health (Commissioner-designate Ben Gale) had opportunity fully to acquaint himself with the relevant facts. Representatives of Madriz family were present and heard from again at the Commission's May meeting. The matter was carried forward to the Commission's June meeting. However, prior to the Commission's June meeting Ms. Madriz, Sr., telephoned Chairperson Hamilton and requested further discussion of the matter be continued to the Commission's July calendar. Upon calling of the Madriz family matter at the Commission's instant meeting no one requested to be heard on behalf of the Madriz family. Accordingly, the Madriz family matters were dropped from the Commission's continuing calendar subject to their being re-calendared in future upon request and agreement of a majority of Commissioners.

#### 6. NON-CALENDARER MATTERS-PUBLIC DISCUSSION

(a) Rabid Bat Reports. Secretary Trauner asked other Commissioners and Department representatives for an update on published reports concerning the finding of rabies-infected bats within the City And County of San Francisco. After a brief discussion of the matter by Commissioner-designate Aiken and Gale, the matter was carried over to the Commissioner's August meeting.

(b) No public discussion was forthcoming.





7. HEARINGS

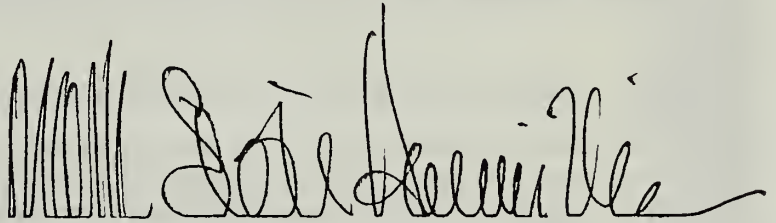
(None)

8. ADJOURNMENT

The July 14, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned in accordance with the unanimous sense of all Commissioners present at approximately 7:00 p.m.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, August 11, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: July 15, 1993

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', written over a horizontal line.

Mark Scott Hamilton  
Chairperson



COMMISSION OF ANIMAL CONTROL AND WELFARE

Resolution No. 7/14/93-A



IN THE MATTER OF THE RETIREMENT OF  
OFFICER MARK HURLEY

From the

SAN FRANCISCO POLICE DEPARTMENT

WHEREAS, Mark Hurley has been a dedicated Police Officer and a long time Commissioner serving by designation of numerous Chiefs of Police on the San Francisco Commission of Animal Control and Welfare; and

WHEREAS, Mark Hurley has exhibited special ability in performing his duties; and

NOW THEREFORE IT IS HEREBY RESOLVED, that the Commission Of Animal Control And Welfare of the City & County of San Francisco offers its gratitude and extends its best wishes to Mark Hurley on the occasion of his retirement from the San Francisco Police Department, and

BE IT FURTHER RESOLVED, that on behalf of the City and County of San Francisco, the Commission of Animal Control and Welfare thanks Mark Hurley for his contributions on behalf of the animals and citizens of this community.

Dated: July 14, 1993

COMMISSION OF ANIMAL CONTROL AND WELFARE  
OF  
THE CITY AND COUNTY OF SAN FRANCISCO

A handwritten signature in dark ink, appearing to read "Mark Scott Hamilton".

MARK SCOTT HAMILTON  
Chairperson

As Secretary thereof, I hereby certify that the foregoing Resolution was unanimously enacted by the Commission Of Animal Control And Welfare - a quorum of Commissioners entitled to vote being then present - at its regular July 14, 1993 meeting.

APPENDIX A





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MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
MEETING  
ON  
AUGUST 11, 1993  
AT  
STATE BUILDING  
(Room 1194)

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular August 11, 1993 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioners or Commissioners-designate John Aikin; Carl Friedman; Debra M. Fila, R.N.; Mark Hurley; and Ronald Lippert, A.H.T.

Commissioner(s) Absent: Commissioner Kenneth Gorczyca, D.V.M.; Commissioner-designate Ben Gale, R.E.H.S. and Commissioner Stan Mahy. Absences were due to illness and/or City and County or personal business elsewhere. Absences were formally excused as required by applicable law upon the motion of Commissioner Friedman, seconded by Secretary Trauner and upon unanimous vote on the issue, the Chairperson abstaining because there was no tie to break. Note: Commissioner Emeritus Mark Hurley, SFPD,





attended in the place and stead of Police Chief Anthony Ribera and/or Officer Hurley's designated replacement, Sergeant William Herdnon

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

Eight Commissioners (or their lawful designates) holding valid appointments being preset, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.

## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

July 14, 1993

Upon the motion of Commissioner Friedman, seconded by Secretary Trauner, and thereafter voted upon unanimously in the affirmative, the Minutes of the Commission's July 14, 1993 meeting were accepted and filed.

## 3. CHAIRPERSON'S REPORT

Chairperson Hamilton reported briefly on several matters which occurred between the Commissioner's June and July meetings.

Personnel from the office of Supervisor Carole Migden inquired by phone as to the "status" of the Madriz Family complaints and their suggestion that the Commission recommend to the Board of Supervisors that it exact an ordinance in effect adjusting upwards the number of residential household pets allowable per residence unit in the City And County. The Chair wrote Supervisor Migden a letter reply outlining handling of the Madriz Family complaints (see copy attached). In addition, Supervisor Migden's administrative assistant was



advised that it was the informally polled sense of the Commission that the ordinance amendment suggested by the Madriz Family was not one which the Commission felt it could presently and in good conscience recommend.

The Chair has also written Police Chief Ribera (see copy attached) to request either the latter's attendance as Commissioner or the designation and attendance of a Commissioner-designate. Commissioners-designate emeritus Mark Hurley, SFPD, was present personally to convey Chief Ribera's appointment of Sergeant William Herdnon as his Commissioner-designate. Sergeant Herdnon will commence that function with the Commissioner's September 8 meeting.

The Chairperson announced that he will be out of town at the time of the Commission's September 8 meeting and that in accordance with the relevant provision of the Communion Rules and with her assurance that she would be present to preside, the Commissioner's September 8 meeting will be presided over by Vice-Chairperson Dolores A. Donovan.

#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Mark Hurley, SFPD - Deferred to September Meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None - Deferred to September meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman deferred a more detailed report until the Commission's September 8 meeting. In the meantime, he reported briefly that just how the statutory vicious dog hearings would be handled after Officer Hurley's



retirement was still somewhat unclear, but he expressed his anticipation that this matter would be more clear by the Commission's September meeting. He also reported the facts of nighttime armed robbery and forcible entry at the Department Of Animal Care And Control during the intervening month (June-July).

4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate John Aikin) - Deferred To  
September meeting).

5. SPECIALLY CALENDARED MATTERS - HEARINGS

(None)

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

There was a general discussion amongst Commissioners about media reports concerning several dead, but rabid, bats said to have been found recently in the City And County. The subject of the possibility of rabid rats was also touched upon. Commissioner-designate Aikin promised a statistical report at the Commission's September meeting, but in the meantime he expressed the feeling that the rabies situation (whether in bats or other mammal carriers) is not a current problem. Commissioner Lippert reported information to the effect that there had been some 1,000 or more rabies treatments required to be given in the State Of New York in the last year or so. Commissioner Friedman reported that his Department regularly counsels the public to dispose of any dead mice or rats by depositing the remains thereof in the garbage.

7. HEARINGS - None



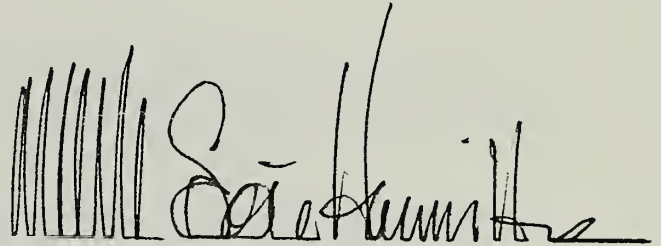


8. ADJOURNMENT

The August 11, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 7:00 p.m. in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, September 8, 1993, in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: August 12, 1993

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson



City Hall  
San Francisco, California 94102  
(415) 552-1898

August 6, 1993

Honorable Carole Migden, Member  
Board Of Supervisors  
City And County Of San Francisco  
City Hall - Room 235  
San Francisco, California 94102

Dear Supervisor Migden:

Your staff-member (Eric) contacted me as Chairperson of the Board's Commission of Animal Control And Welfare requesting information as respects status of complaints to the Commission of the Madriz family relating to the number and care of pet animals on their residence premises.

I enclose for your use copies of Minutes of the Commission's meetings of April 14, May 12, June 9 and July 14, 1993. Note in particular the summary carried in Paragraph 5(b) of the July Minutes.

For reasons obvious from the Commission's Minutes, the Madriz family matters has been dropped from the Commission's continuing calendar (subject to revival) based upon failure by the Madriz family to press those matters.

If the Commission can be of further assistance, I can be reached by phone at 552-1898.

Respectfully submitted,

/s/ MARK SCOTT HAMILTON

Mark Scott Hamilton  
Chairperson

4987:MSH:meh

Enclosures: (As Indicated)

Copies: To All Commissioners/Commissioners-designate



~~San Francisco Commission of Animal Control and Welfare~~  
~~San Francisco Department of Public Health~~  
~~San Francisco Department of Health~~  
City Hall  
San Francisco, California 94102  
(415) 552-1898

August 6, 1993

Anthony Ribera  
Chief of Police  
Hall of Justice - Room 525  
San Francisco, California 94103

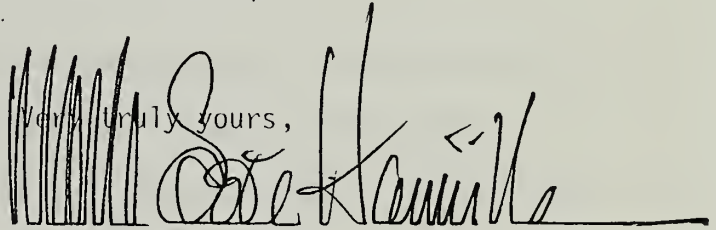
Dear Chief Ribera:

Section 41.1 of the Health Code designates the Chief of Police as one of 11 Commissioners of this Commission. In the alternative, you are empowered by that ordinance to appoint a member of your Department as Commissioner-designate.

As you know long-time Commissioner-designate Mark Hurley has retired and the Police Department was unrepresented at the Commission's July meeting.

May I respectfully request that you scan the enclosed copy of the Commission's July Minutes (especially the yellow-shaded portion thereof) and "APPENDIX A" thereto?

You will note from Paragraph 8 of the enclosed Minutes that the Commission's next meeting will be convened at 5:30 p.m. on August 14 in Room 1194 of the State Building (located at 455 Golden Gate Avenue).

Very truly yours,  
  
Mark Scott Hamilton  
Chairperson

4987:MSH:meh

Enclosures: (As Indicated)

Copies To All Commissioners/Commissioner-designates





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MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE  
MEETING  
ON  
SEPTEMBER 8, 1993  
AT  
STATE BUILDING  
(Room 1194)

1. CALL TO ORDER AND ROLL CALL

In the previously announced absence out-of-state of the Chairperson, Commission Vice-Chairperson Dolores A. Donovan called the regular September 8, 1993 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioners or Commissioners-designate John Aikin; Carl Friedman; Stan Mahy; Kenneth Gaczyca, D.V.M.; Ronald Lippert, A.H.T.; and, Sergeant William Herndon, S.F.P.D.

Commissioner(s) Absent: Chairperson Mark Scott Hamilton; Commissioner-designate Ben Gale, R.E.H.S. and Commissioner Debra M. Fila, R.N. Absences were due to illness and/or City and County or personal business elsewhere. Absences were formally excused as required by applicable law upon due motion, second and upon unanimous vote on the issue, the Vice-Chairperson abstaining because there was no tie to break.



The meeting convened at 5:30 p.m. Commission Vice-Chairperson Donovan presided during all aspects of the meeting.

Eight Commissioners (or their lawful designates) holding valid appointments being preset, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.

## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR MEETING

Upon due motion, second and unanimous vote, the Minutes of the Commission's August 11, 1993 meeting were accepted and filed as presented.

## 3. VICE-CHAIRPERSON'S REPORT

None, except to announce that the first and principal agenda item as a specially calendared item at the Commission's next (October 13) meeting will be discussion of legislation to be proposed by the Society For Prevention Of Cruelty To Animals regarding euthanasization and placement of "adoptable" animals.

## 4-7. CONCLUSION OF MINUTES

Due to pre-scheduled absence from the Commission's meeting of its Chairperson (who usually prepares meeting Minutes), Minutes of the September meeting were prepared by Commissioner Secretary Dolly B. Trauner, a 2-page copy of which are attached hereto and incorporated herein for the purpose of completing these Minutes.

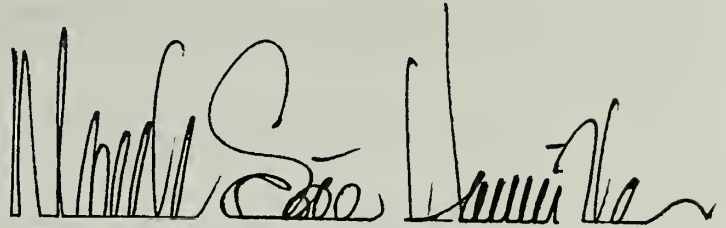
## 8. ADJOURNMENT

The September 8, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 6:14 p.m. in accordance with the unanimous sense of all Commissioners present.



The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, October 13, 1993, in Room 1194 - State Building, located at 455 Golden Gate Avenue.

DATED: October 6, 1993

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', written over a horizontal line.

Mark Scott Hamilton  
Chairperson

(Continue To Secretary Trauner's Notes: Page 4-5)





Minutes  
Commission of Animal Control and Welfare  
Meeting on September 8, 1993

Commissioners In Attendance: Vice Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioners Carl Friedman; Stan Maher; John Aiken, Kenneth Gorczyca, D.V.M.; Ronald Lippert, A.H.T.; William Herndon

Absent: Chairman Mark Scott Hamilton, Ben Gale, Debra M. Fila. MSC to excuse their absence.

In the absence of Chairman Mark Scott Hamilton, the meeting was called to order at 5:30 p.m. by Vice Chairperson Dolores A. Donovan.

MSC to approve the Minutes of the August 11, 1993 meeting as published.

Vice Chairperson: No report.

Commissioner representing Police, William Herndon, reported that the new policy is that all disturbances involving animals are to be reported to him.

Animal Control Commissioner Carl Friedman's report is deferred to next meeting.

Park & Rec. Commissioner John Aikin reported the Mayor signed 30 day lease agreement for the zoo to become private enterprise. Vice Chairperson Donovan suggests a future meeting be held at the zoo to hear new operations plans and protocol. There are other items on the agenda for October, so such meeting to be held at the zoo will be deferred.

Chairman Hamilton sent written announcement that the October meeting will be focused on new legislation proposed by the SPCA. Discussion on this is deferred to the October meeting.

Commissioner Aiken submitted a comprehensive report on the subject of rabies in bats; MSC that a copy of this be made a part of these Minutes. Commissioner Gorczyca stated that it is widely recommended that cats be vaccinated against rabies as well as dogs; this subject is put on the agenda to determine the Commission's position re vaccination of cats.

It was reported that five North Bay Counties have had cases of Equine Encephalitis. This disease is carried by mosquitoes and can infect humans.

Linda Hays, San Francisco resident, spoke from the public regarding the use of glue traps. She stated that animals die a slow, painful death, and that the Peninsula Humane Society states that the glue itself is very toxic, and that material to remove the glue is also very toxic. Although primarily used to catch rats and mice, they sometimes also entrap puppies, kittens, and song birds. She found a pigeon in a glue trap and took it home before taking it to the Peninsula Humane Society; she was nauseated by toxic fumes from the glue. She would like to see glue traps outlawed, and snap traps used instead. Commissioner Mahy requested she do further research on the matter; he added he previously asked his local hardware store to discontinue their sale. Ms. Hays will check with EPA. Commissioner Friedman asked what other animals she had seen in glue traps. She had not seen any herself, but that the Peninsula Humane Society told her "lots of other species are caught, including song birds."



Mrs. Elizabeth Madriz, San Francisco resident, presented a petition signed by over 200 people regarding the former Madriz appeal. She stated that a neighbor had told the Health Dept. that the Madriz family was beating their dogs; that the cat boxes can be smelled from outside the house; and that they were walking in feces. She affirmed this is all untrue. The petitions and letters she tendered were accepted to be delivered to Chairman Hamilton. She has appealed to the Community Board to intervene to get this vindictive neighbor to desist harrassment. Commissioner Herndon advised Mrs. Madriz to speak to the platoon Commander if she obtains no satisfaction talking to the Desk Seargent.

MSC to adjourn at 6:14 p.m.

Dolly B. Trauner, Secretary

cc: Dolores A. Donovan, Vice Chairperson



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COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

OCTOBER 13, 1993

AT

STATE BUILDING

(Room 1194)

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular October 13, 1993 meeting of the Commission Of Animal Control And Welfare to order a 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioners or Commissioners-designate John Aikin; Carl Friedman; Debra M. Fila, R.N.; Ben Gale, R.E.H.S.; Kenneth Gorczyca, D.V.M.; Sergeant William Herndon, SFPD; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: None.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.





2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

SEPTEMBER 8, 1993

Upon the motion of Commissioner Mahy, seconded by Commissioner Friedman, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's September 8, 1993 meeting were accepted as filed.

3. CHAIRPERSON'S REPORT

Chairperson Hamilton reported briefly on several matters which occurred between between the Commissioner's September and October meetings, and selected correspondence received in the interim was circulated.

The continuing need for the Board of Supervisors to establish a modest budget to pay for stationery, postage, clerical work and copy work was discussed - the cost of all such items (required to comply with the ordinance which established the Commission and for compliance with requirements of the Brown Act and of the Sunshine Ordinance). All such expenses (estimated to total approximately \$1,000.00) are presently donated by the Chairperson and other Commissioners. It was decided to defer to the Commission's November 10 meeting discussion leading to a request for an emergency budget allocation.

The Chair discussed latest information concerning the reported escape of a black-phase green mamba from its owner in Palo Alto. Commissioner Friedman explained that the keeping of such venomous and exotic reptiles in the City And County of San Francisco is violative of local and Federal law.



#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - Deferred to November Meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None - Deferred to November meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - None - Deferred to November Meeting).

##### 4(d) REPORT OF PARK AND RECREATION DEPARTMENT

(Commissioner-designate John Aikin).

Commissioner-designate Aikin reported the birth at the Zoo of a baby gorilla and further reported that the transfer of Zoo operations from the City And County to the San Francisco Zoological Society was proceeding smoothly.

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

5(a) "Sticky Trap" Matters - Ms. Linda Hayes handed up to the Commission and further discussed problems related to the use of so-called "Sticky Traps" in the City And County Of San Francisco for rodent eradication and pigeon deterrence. (This matter had been carried forward on the Commission's agenda from its September 8 meeting).

5(b) Adoption/Euthanasia Matters - Richard Avanzino, President of the San Francisco Society For The Prevention Of Cruelty To Animals (SFSPCA), was allocated 15 minutes to report to the Commission plans of the SFSPCA to acquire additional shelter space to facilitate that organization's greater ability to



engage in animal placement as an alternative to euthanasia. Earlier, the SFSPCA had suggested need for an ordinance, the purpose of which was to facilitate the aforesaid program. It was reported that discussions with the Department Of Animal Care And Control (DACC) had not (at least from Mr. Avanzino's view) been entirely productive - although Mr. Avanzino frankly conceded that there existed no issue between the SFSPCA and DACC (or any other person or entity) as to fundamental goals directed at reduced euthanization and increased adoption programs. By the time of the Commission's instant meeting, the SFSPCA had receded from its initial proposal that a new CCSF ordinance was necessary. Instead, Mr. Avanzino suggested a formal "agreement" between SFSPCA and DACC to bring about the evidently undisputed objectives of all concerned.

Carl Friedman then addressed the Commission in his capacity as Director of the DACC. Director Friedman reported that although he found the SFSPCA's projected increase in its shelter space (in order to promote greater adoption and reduced euthanization) highly desirable and commendable, there already existed a long-standing commitment on the part of DACC to make all legally adoptable animals available to the SFSPCA, to other animal humane organizations and to members of the public for adoption before such animals became candidates for euthanization. It was Director Friedman's view that neither a new ordinance nor formal written agreement was necessary.

There followed an extended period of public discussion in which several Commissioners actively participated. Some of the public input was from the following persons: Joan Bush (Street Cat Rescue); Lurilla Harris; Cathy Cohn;





Jennifer Holdt (Animal Legal Defense Fund); Michelle Parris; Rob Monsour; Virginia Handley (The Fund For Animals); and Carolyn Grier.

Thereafter, both Mr. Avanzino and Director provided further explanation and data supporting the several views.

In conclusion, Director Friedman publicly recommitted DACC to continue to make available to SFSPCA, to other animal humane organizations and to the public any legally adoptable cat or dog before any such animal is euthanized. Mr. Avanzino then suggested a 3-meeting discussion of DACC's commitment in which he requested participation by several Commissioners. The Commission commended Mr. Avanzino for the latter suggestion. The Chairperson committed himself to foster the suggested meetings by appointing an ad hoc committee to assist in the way Mr. Avanzino suggested.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(NONE - See Above)

7. HEARINGS

(NONE - See Above)

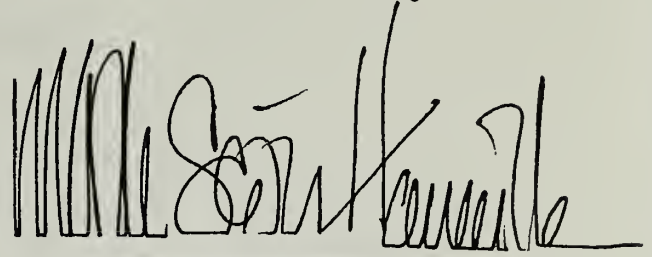
8. ADJOURNMENT

The October 13, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned in accordance with the unanimous sense of all Commissioners present.



The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, November 10, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: October 14, 1993

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', written over a horizontal line.

Mark Scott Hamilton  
Chairperson



MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

NOVEMBER 10, 1993

AT

STATE BUILDING

(Room 1194)

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular November 10, 1993 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioners or Commissioner-designate John Aikin; Carl Friedman; Debra M. Fila, R.N.; Ben Gale, R.E.H.S.; Sergeant William Herndon, SFPD; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: Commissioner Kenneth Gorczyca, D.V.M.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.





## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

OCTOBER 13, 1993

Upon the motion of Commissioner-designate Aikin, seconded by Commissioner-designate Gale, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's October 13, 1993 meeting were accepted as filed.

## 3. CHAIRPERSON'S REPORT

The Chairperson addressed the Commissioners on the subject of Brown Act and Sunshine Ordinance requirements and reported that during one of the Commission's upcoming meetings a Deputy City Attorney has agreed to be present to discuss that subject.

Mention was made of the heroic efforts of Mr. Duncan Gibbons to save his cat, "Elsa," during the Malibu fire - an heroic act which cost Mr. Gibbons his life. The Chairperson announced that with unanimous consent of all Commissioners when it adjourned the Commission's November 10 meeting it would do so out of respect for Duncan Gibbons.

## 4. COMMITTEE REPORTS

### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD -  
Deferred to December meeting).

### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - None -  
Deferred to December meeting).

### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - None - Deferred to December meeting).



4(d) REPORT OF PARK AND RECREATION DEPARTMENT

(Commissioner-designate John Aikin - Deferred to December meeting).

5. SPECIALLY CALENDARED MATTERS - HEARINGS

The Commission's single-agenda item for its November meeting related to the joint efforts of the joint Department Of Animal Care And Control/SPCA plans involving a county-wide plan to increase adoption and decrease euthanization of stray dogs and cats. The Chair explained that two-sided negotiations between the Director of the Department Of Animal Care And Control and the President of the SPCA have gone forward during the period between the Commission's October and November meetings. However, the interim Commission-assisted meetings proposed by the President of the SPCA (and initially agreed to by the Commission) were required to be cancelled after the Chair's receipt of a contrary opinion and direction from the Office of the City Attorney.

Both the President of the SPCA and the Director of the Department Of Animal Care And Control then reported that their discussions on the county-wide plan were continuing and that it was jointly anticipated that by the Commission's December meeting (or perhaps by the January meeting at the latest) a joint adoption/euthanization reduction protocol would be ready for presentation to the Commission for - as Mr. Avanzino put it - "...its blessings..."

With progress in this substantial matter having been so reported, the subject was continued to the Commission's December 8 meeting as the first matter on its hearing agenda.



6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(NONE - SEE ABOVE)

7. HEARINGS

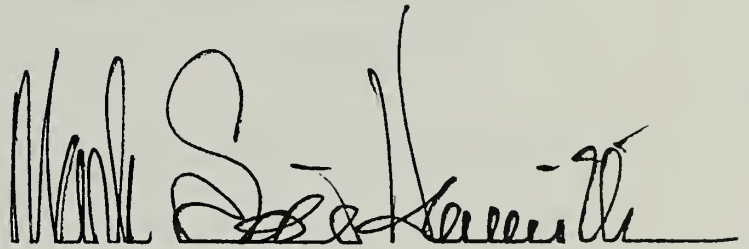
(NONE - SEE ABOVE)

8. ADJOURNMENT

The November 10, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 6:30 p.m., the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, December 8, 1993 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: November 11, 1993

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', with a horizontal line underneath it.

Mark Scott Hamilton  
Chairperson





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#2  
12/8/93

MINUTES

1/ COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

DECEMBER 8, 1993

AT

STATE BUILDING

(Room 1194)

DOCUMENTS DEPT.

JAN 11 1994

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular December 8, 1993 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan; Secretary Dolly B. Trauner; Commissioners or Commissioner-designate John Aikin; Carl Friedman; Kenneth Gorczyca, D.V.M.; Sergeant William Herndon, SFPD; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: Commissioners or Commissioners-designate Debra M. Fila, R.N.; and, Ben Gale, R.E.H.S.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.



## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

### (NOVEMBER 10, 1993) MEETING

Upon the motion of Commissioner Friedman, seconded by Commissioner Trauner, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's November 10, 1993 meeting were accepted as filed.

## 3. CHAIRPERSON'S REPORT

The Chairperson advised that the meeting will be shortened due to very short agenda and to allow departure of Commissioners in preparation for the upcoming religious and Seasonal holidays.

The Chairperson further advised that the Commission had received two letters deserving of comment: the first (dated November 16) from Deborah Learner, Park Planner, Recreation And Park Department, in reply to the Commission's earlier written inquiry about progress on the Department's draft statement of objectives and policies for development of Golden Gate Park; and, the second (dated December 6, 1993) from the St. Francis League For Animals - Grace Cathedral, commending the Commission for its efforts in facilitating and overseeing efforts of the Department Of Animal Care And Control and The Society For Prevention Of Cruelty To Animals increase dog and cat adoption, thereby reducing need for euthanization of adoptable animals. A copy of each letter is attached to these Minutes.

In preparation for the Commissions annual election of officers and committee members, the Chair appointed the following to serve as members of an ad hoc Nominating Committee charged to report its recommendations and to make its nominations at the Commission's January 12 meeting: Commissioner Friedman (Chair); Commissioner-designate Gale; and, Commissioner (Chairperson Emeritus) Lippert.



The Chair asked for and entertained the motion of Commissioner Mahy, seconded by Commissioner Friedman, to the effect that the absences of Commissioner Fila and Commissioner-designate Gale be excused for good reason reported. Vote on the motion was unanimous, the Chair abstaining there being no tie to break.

#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - deferred to January meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - NONE - Deferred to January meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman reported that his Department was "close to agreement" with The Society For Prevention Of Cruelty To Animals as respects implementation of a joint adoption program for dogs and cats. Commissioner Friedman reported that by January or February the joint plan would be ready for review by the Commission. In the meantime, no adoptable cats and only 1 adoptable dog had been euthanized during the next-preceding month.

##### 4(d) REPORT OF PARK AND RECREATION DEPARTMENT

(Commissioner-designate John Aikin)

Commissioner Aikin updated his earlier reports relative to tuberculosis in the bison herd managed at the San Bruno City And





County prison. There have been no new positive tuberculosis findings for some time.

At the Zoo, a baby gorilla has been born and a rare African crowned crane has been incubated and hatched. Preparation of the new other exhibit is underway.

Mr. Aikin also reported that it appears the Zoological Society's \$12,000,000 Founders Fund drive will be successful. The new sewage treatment plant adjoining the Zoo is in operation without presently perceived adverse effects as respects the Zoo.

5. SPECIALLY CALENDARED MATTERS - HEARINGS

The anticipated detailed discussion of the joint dog/cat adotion and euthanization program was continued to the Commission's January and/or February calendar(s) at the request of Commissioner Friedman and Mr. Avanzino.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(NONE - SEE ABOVE)

7. HEARINGS

(NONE - SEE ABOVE)

8. ADJOURNMENT

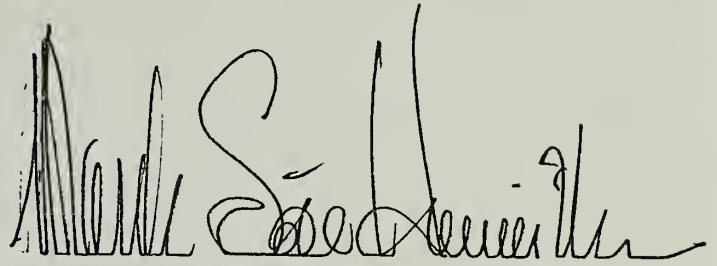
The December 8, 1993 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately



6:30 p.m., by unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, January 12, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: December 9, 1993

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson





November 16, 1993

Mr. Mark Scott Hamilton, Chair  
San Francisco Commission of  
Animal Control and Welfare  
4615 - 19th Street  
San Francisco, CA 94114

Dear Mr. Hamilton:

Attached is the draft policy statement regarding treatment of animals that was discussed at our June 10, 1993 conference at McLaren Lodge.

The entire draft statement of objectives and policies is continuing to be circulated. Options and alternatives for the various policy matters are being discussed at public meetings. Early next year when the options and alternatives are refined, the entire master plan which includes objectives, policies and the action plan will be reviewed by the Recreation and Park Commission.

It would be timely then for your Commission, if they should wish, to review and comment on the draft policy statement prior to Recreation and Park Commission review.

Please feel free to contact me directly at 666-7087 if you would like me to be present before your Commission when this matter is considered.

Very truly yours,

A handwritten signature in cursive script that reads "Deborah Learner".

Deborah Learner  
Park Planner

DL/vr

Attachment: Draft Policy

c: Recreation and Park Commission  
Mary Burns  
Richard Avanzino, SFPCA

0547d





- a. A specific management plan should be established for the oak preserves which are identified on the park land use map.
- b. Exotic and invasive understory vegetation should be removed in the oak preserves and replaced with native plants appropriate to oak woodlands.
- c. Oak woodlands should be perpetuated by the planting of acorns and oak seedlings.
- d. There are many other oak trees not within the oak preserves. These trees should be maintained and preserved within their respective landscape settings.

#### **POLICY C - WILDLIFE AND HABITAT**

Golden Gate Park provides important habitat for wildlife within San Francisco. Habitat values should be preserved and enhanced throughout the park. Designate and manage areas or zones within the park that are identified as having high natural resource values.

1. Manage, protect, and enhance the park's landscape for wildlife habitat and other natural values. Managing the landscape for these values should include preserving and enhancing food sources, nesting sites, and roosting sites; thinning and providing openings in the forest canopy; and maintaining understory vegetation.
2. Continue diversification of tree species with California native species such as oak, buckeye, madrone, bay laurel, and toyon, where appropriate.
3. Preserve selected dead trees for habitat value.
4. Maintain water quality and water levels in the park's lakes, marshes, and water features to preserve habitat values.
5. Designate areas within the park that have special resources or habitat values as natural resource areas. Natural resource areas should be managed to preserve and enhance the natural resource values. Control park uses in and near natural resource areas to preserve natural values.
6. Abandonment of cats is a continuing problem in the park. A collaborative effort involving the Recreation and Park Department, Animal Welfare and Control Commission, the Society for Prevention of Cruelty to Animals (SPCA), and other concerned groups, should coordinate efforts to discourage pet abandonment and establish a humane program to reduce, to the greatest extent possible, the number of feral cats in the park. This program may include rehabilitation and adoption of appropriate animals, and spaying/neutering and inoculation of feral animals. The goal of these efforts will be to reduce the feral cat populations in the park, coordinate and support cat population management efforts, and minimize impact on the park environment.

#### **POLICY D - PARK LAKES AND WATER FEATURES**

Maintain the important design and functional roles of the park's lakes and water features.

1. Existing lakes water features should be restored and maintained.
2. Lake levels should be stabilized.
3. Lake and water feature edges should be stabilized to prevent erosion.



December 6, 1993

St. Francis League For Animals, Grace Cathedral  
c/o Richard Daller, Secretary  
1051 Taylor Street  
San Francisco, Calif. 94108

Animal Control & Care Commission  
c/o Mark Hamilton, Chairperson  
Box 884052  
San Francisco, Calif. 94188

RE: San Francisco ADOPTION Act/A Negotiated Agreement.

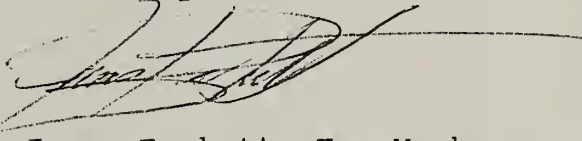
Dear Commission Members:

This letter, acknowledges your leadership and our support for efforts in reference to the above captioned matter.

The Commission's recommendations and approach to Animal Abandonment, in San Francisco, by guaranteeing healthy adoptable animals won't be euthanized demonstrates a humane and preventive strategy to abandoned animals in our city.

The St. Francis League For Animals, Grace Cathedral, commends the Animal Control And Care Commission for taking a direction consistent with our City's Patron Saint's love for animals.

Sincerely,



James Beckett, For Members  
St. Francis League For Animals,  
Grace Cathedral

Enclosure: What Is The San Francisco ADOPTION Act?

cc: Alan Jones, Dean, Grace Cathedral  
Richard Avanzino, President, San Francisco S.P.C.A. (w/o enc)  
Richard Daller, Secretary, St. Francis League For Animals,  
Grace Cathedral (w/o enc)









MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

JANUARY 12, 1994

AT

STATE BUILDING

(ROOM 1194)

DOCUMENTS DEPT.

JAN 31 1994

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular January 12, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson Dolores A. Donovan (arrived during conduct of Agenda Item No. 5[b]); Secretary Dolly B. Trauner; Commissioners or Commissioner-designate John Aikin; Carl Friedman; Debra M. Fila, R.N.; Kenneth Gorczyca, D.V.M.; Sergeant William Herndon, SFPD; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: Commissioner-designate Ben Gale, R.E.H.S.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.



1(a). Upon motion of Commissioner Trauner, Seconded by Commissioner Mahy, the absence of Commissioner-designate Gale was excused.

1(b). Annual Election Of Commission Offers/Committee Members.

Commissioner Friedman delivered the report of the Commission's ad hoc (informal) Nomination Committee (consisting of Commissioners Friedman and Lippert and Commissioner-designate Gale) which contained the following recommendations (then placed in nomination by Commissioners Friedman and Lippert) for 1994 officers:

"Mr. Chairman, the Commission's Nominating Committee (consisting of Commissioners Gale, Lippert and Friedman) submits the following recommendations and nominations -

"For Chairperson: Commissioner Hamilton;

"For Vice-Chairperson: Commissioner Trauner;

"For Secretary: Commissioner Trauner;

"For Elected Memembers Of Donation Approval Committee:

Commissioner Fila and Commissioners-designate Gale and Herndon; and,

"For Elected Memembers Of Adoption Appeal Committee:

Commissioners Donovan, Lippert and Mahy and Commissioner-designate Aikin.

The foregoing nominations of the Nominating Committee were seconded by Commissioner Mahy who further moved that nominations be closed. The Chair deferred calling for a second on Commissioner Mahy's motion to close nominations until after response to the Chair's call for further nominations. That call resulted in no further nominations. Commissioner Lippert thereupon seconded



Commissioner Mahy's motion to close nominations, upon which motion the vote of Commissioners present (Commissioner Donovan and Commissioner-designate Gale absent) was unanimous, the Chairperson and Secretary abstaining in deference to their candidacies). Thereupon the Officers and Committee members nominated as reported above were declared elected by unanimous acclamation.

2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR  
(DECEMBER 8, 1993) MEETING

Upon the motion of Commissioner Trauner, seconded by Commissioner Mahy, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's December 8, 1993 meeting were accepted as filed.

3. CHAIRPERSON'S REPORT

The Chairperson reported that in the interim since the Commission's December (1993) meeting the mother of Commissioner Friedman, Mrs. Jeanette Friedman of New York and Florida, had died. It was the unanimous sense of Commissioners present that when the instant meeting was adjourned it should be adjourned in memory of Jeannette Friedman.

The Chairperson further advised the finalization of the entente between the Department Of Animal Care And Control and the Society For Prevention Of Cruelty To Animals as respects euthanization and adoption, had necessarily been delayed, in major part to Department Director Friedman's absence due to the death of his mother. It has been reported to the Chairperson that that matter would be continue as the first item on the Agenda of the Commission's





February meeting.

#### 4. COMMITTEE REPORTS

4(a). REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD -  
Deferred to February meeting).

4(b). REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. -  
None due to absence of Commissioner-designate Gale).

4(c). REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - Deferred to February meeting).

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

a. Euthanization/Adoption Entente. The anticipated detailed discussion of the joint dog-cat adoption and euthanization program was continued to the Commission's February calendar(s) at the request of Commissioner Friedman and Mr. Avanzino as explained above in "Chairperson's Report." (At this point Commissioner Donovan arrived).

b. "Sticky-trap" Discussion. Architect Lynda Hayes supplemented her discussion about the inhumane aspects of "sticky-trap" devices and applications (especially as respects birds) and delivered to all Commissioners additional study date. She was advised to arrange discussion of the matter (particularly the reported recommended use of such applications by the Department of Public Health) with Director Ben Gale, R.E.H.S., of City And County Environmental Health Services.



6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Ms. Donna Gouse of the Haight Ashbury Neighborhood Council spoke of the apparent recent fare and regulation changes involving transport of animals (especially small, crated animals) on the Municipal Railway. She was invited to return for the Commission's February meeting to discuss that matter further. Commissioner Friedman agreed to explore the situation to the extent indicated with the Municipal Railway and be generally prepared to direct discussion of the situation if the discussion is raised again in February.

Ms. Laurella Harris discussed several recurring topics and again stressed her often-stated belief that the Commission should have a modest budget for use in administrative matters required by the Brown Act and "Sunshine Ordinance," which expense has been provided by Commission members without reimbursement.

7. HEARINGS

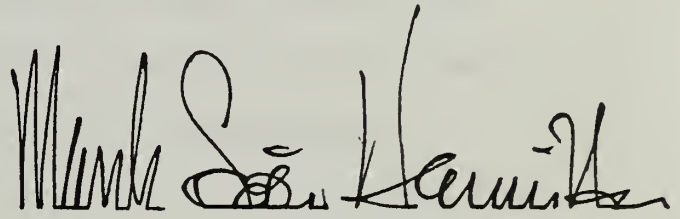
(NONE)

8. ADJOURNMENT

The January 12, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 7:30 p.m., based upon the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, February 9, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: January 13, 1994

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson



MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

FEBRUARY 9, 1994

AT

STATE BUILDING

(ROOM 1194)

DOCUMENTS DEPT.

MAR 4 1994

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular February 9, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner (arrived during conduct of Agenda Item No. 4[C]); Commissioners or Commissioners-designate John Aikin; Carl Friedman; Sergeant William Herndon, SFPD; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: Commissioner Dolores A. Donovan (ill); Debra A. Fila, R.N., (ill); and Kenneth Gorczyca, D.V.M. (unreported).

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.





1(a). Upon motion of Commissioner Mahy, Seconded by Commissioner Friedman, the absence of Commissioners Donovan and Fila (both reportedly ill) were unanimously excused. Excuse of the absence of Commissioner - Doctor Gorcxyca was deferred to the Commission's March meeting.

## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

Upon the motion of Commissioner Mahy, seconded by Commissioner-designate Aikin, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's January 12, 1994 meeting were accepted as filed.

## 3. CHAIRPERSON'S REPORT

The Chairperson advised the public gallery that the instant meeting would probably be abbreviated based upon the Commission's short continuing agenda and the small number of persons who had requested to be heard.

The Chairperson further advised the finalization of the entente between the Department Of Animal Care And Control and The Society For Prevention Of Cruelty To Animals as respects euthanization and adoption, had again necessarily been delayed, due to the press of personal and business matters effecting Messrs. Friedman and Avanzino. It was reported by the Chairperson that that matter would be continued as the third item on the agenda of the Commission's March meeting.



#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - Deferred to March meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Deferred to March meeting, but see Agenda Item 5[a], below).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman). (At this point Vice-Chairperson/ Secretary Trauner arrived).

Director of the Department Of Animal Care And Control, Commissioner Friedman reported that the Mayor and the Chief Administrative Office had directed all Department heads (including Director Friedman) to analyze each Department's fee, license and other charge schedules and to report instances where such revenue items can be reasonably and equitably increased. Director Friedman reported at some length (and there followed related general discussion taken out of regular order) about the current fee schedule of the Department Of Animal Care And Control. The Department is presently preparing a study of comparable fees of similar local municipal and county agencies. Director Friedman will circulate his comparative fee schedule to all Commissioners for perusal prior to discussion of fee increases preliminary to further discussion of the matter as the first item on the Commission's March meeting agenda.

##### 4(d) REPORT OF PARK AND RECREATION DEPARTMENT

(Commissioner-designate John Aikin - Deferred to March meeting).



## 5. SPECIALLY CALENDARED MATTERS - HEARINGS

A. Euthanization/Adoption Entente: The anticipated detailed discussion of the joint dog-cat adoption and euthanization program was continued to the Commission's March calendar at the request of Commissioner Friedman and Mr. Avanzino as explained above in "Chairperson's Report."

B. Continued "Sticky-trap" Discussion: Jennifer Holdt of The Animal Legal Defense Fund supplemented discussion at prior meetings about the inhumane aspects of "sticky-trap" devices and applications (especially as respects birds) and delivered further relevant data to all Commissioners. Ms. Holdt and Commissioner-designate Gale reported interim discussions regarding use of the product by The City And County and The Department Of Public Health.

Relevant Commission and public discussion of the so-called "sticky-trap" situation divided itself into two areas of consideration: (a) Rodent-directed sticky-traps; and (b) Protective coatings/applications directed towards discouragement of pigeon roosting. Discussion of the pigeon-oriented materials was deferred until a later meeting, but The Animal Legal Defense Fund representative pressed for a Commission recommendation to The Board Of Supervisors of an ordinance prohibiting use/sale of rodent sticky-traps in The City And County.

Although the unanimous (but informal) sense of Commissioners present clearly appeared to favor legislation outlawing use of stick-traps, it was felt that the manufacturers of relevant products must, as a matter of due process, to be notified and have opportunity to be heard on the issue before the matter could be presented to the Board Of Supervisors in any case. Ms. Holdt agreed





to provide the Commission with the names and addresses of rodent-directed sticky-trap manufacturers before the Commission's March meeting so letter notice of formal hearing on the agenda of the Commission's April meeting can be provided to those manufacturers.

The Chairperson inquired of Ms. Holdt whether The Society For The Prevention Of Cruelty To Animals had been advised of the Fund's efforts to ban sticky-traps, and, receiving a negative reply, suggested that Mr. Avanzino be enlisted to assist the Fund in its efforts.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(NONE)

7. HEARINGS

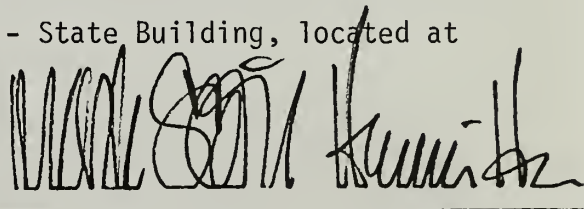
(NONE)

8. ADJOURNMENT

The February 9, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 7:00 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, March 9, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: February 10, 1994

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', is written over a horizontal line.

Mark Scott Hamilton  
Chairperson



157  
44  
MINUTES

5  
2  
9/94  
// COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

MARCH 9, 1994

AT

STATE BUILDING

(ROOM 1194)

DOCUMENTS DEPT.

APR - 8 1994

SAN FRANCISCO  
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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular March 9, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Carl Friedman; Debra A. Fila, R.N.; Kenneth Gorczyca, D.V.M.; Sergeant William Herndon, SFPD; Ronald Lippert, A.H.T.; and Stan Mahy. Commissioner-designate John Aikin was also present, but arrived during conduct of Agenda Item No. 4(A).

Commissioner(s) Absent: Commissioner Dolores A. Donovan.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.



## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

Upon the motion of Commissioner Mahy, seconded by Commissioner Friedman, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's February 9, 1994, meeting were accepted as filed.

## 3. CHAIRPERSON'S REPORT

The Chairperson advised the public gallery that the instant meeting would probably be length based upon length of the Commission's continuing agenda and the number of persons who had requested to be heard on agenda items. Accordingly, the 3-minute limitation of the Administrative Code (not usually followed slavishly by the Commission) would likely be enforced.

It was further reported that the Commission's long unanswered request to the Recreation And Park Commission for a draft copy of the long-range "Master Plan" for Golden Gate Park had been to a very limited extent answered by the Commission's receipt of a brief letter from Planner Deborah Learner enclosing a portion of the draft entitled "Policy C - Wildlife And Habitat." Commissioner Mahy expressed himself as being "dissatisfied with the above-described brief excerpt and asked that the Chair write Ms. Learner for a "full and complete" copy of the Master Plan draft. The expressed sense of the Commission clearly supported Commissioner Mahy's direction to the Chair which agreed to re-address the Recreation And Park Department on the matter. Several Commissioners and members of the public gallery pointed out that such animal-oriented matters as equestrian usage, dog-walking, pigeon-feeding and maintenance of captive





wildlife by The Academy Of Science (asserted to be a "tenant" of the Recreation And Park Department) were not embraced at all within the limited data sent the Commission by Park Planner Learner.

The Chairperson further advised that finalization of the entente between the Department Of Animal Care And Control and The Society For Prevention Of Cruelty To Animals as respects euthanization and adoption had again to be delayed due to the press of other matters effecting both Messrs. Friedman and Avanzino. It was reported by the Chairperson that that matter would be continued as the first item on the Agenda of the Commission's April 13 meeting.

#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - deferred to April meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Full report deferred to April meeting).

However, Commissioner-designate Ben Gale told of reports from the Recreation And Park Department about feral cats disappearing from the park under circumstances suggesting poisoning. Because there are no bodies, cat autopsies are not possible. Several Commissioners expressed amazement that this matter had not been reported to the Department Of Animal Care And Control.

##### 4(c) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate John Aikin).

Commissioner-designate Aiken reported the zoo Otters are being held in hospital during the renovation of their area. A 15 year old lion has developed cancer



of the nasal septen; little can be done. To treat blood dripping from his nose is worse (more difficult) than "living with it." The Zoo is trying to keep the old lion comfortable.

Mr. Aikin further reported that commencing with the Commission's April meeting the Recreation And Park Department would be designating a new representative to participate in Commission activities for Director Burns.

#### 5. SEPCially CALENDARED MATTERS - HEARINGS

A. Euthanization/Adoption Entente: The anticipated detailed discussion of the new dog-cat adoption and euthanization program was continued to the Commission's April calendar at the request of Commissioner Friedman and Mr. Avanzino as explained above in "Chairperson's Report."

B. Continued "STicky-trap" Discussion: Further discussion about the inhumane aspects of "sticky-trap" devices and applications (especially as respects birds) was held. The Chair announced that 3-4 manufactures had been invited to the Commission's April 13 meeting to present their points of view on the subject. Commissioner Friedman suggested that the Chair notify some of the local principal pest control operators also. The Chair will do so.

C. Fees Of Department Of Animal Care And Control: The Commission returned to a further discussion of how fees of the Department Of Animal Care And Control could be increased equitably - and whether, after a comperative study of similar fees in neighboring jurisdictions, increase(s) in such fees might be indicated. In this regard Commissioner Friedman presented and discussed a one-page summary of his comparative study of fees. (A copy of that study is attached to these Minutes and marked "EXHIBIT A.").



Following discussion of fee comparisons - during which all Commissioners and several members of the public (including Dorice Murphy of the Neighborhood Alliance), the consensus of Commissioners present was that across-the-board increases (some relatively substantial) were clearly indicated. Commissioner Friedman ask that the Commission carry the fee-increase matter forward on its continuing agenda in order to allow further departmental study. Commissioners expressed particular support for increases in adoption fees (to  $\pm$  \$10.00 from \$3.00), redemption per diem Kenneling fees with progressively increasing charges for repeated redemptions of the same animal and spay-neuter deposits on adoptions (from present \$20.00 to \$40.00). Commissioners also discussed increases in dog license fees, excluding license fees presently discounted to seniors and as respects exempted disability-assitance dogs. Several Commis-sioners reopened the cat license issue for continuing discussion.

The Mayor's request for receipt of departmental fee increase studies called for responses 2-3 months in the future.

D. Operating Budget For Commission: The subject of the Commission's asking the Board Of Supervisors for a modest operating budget was discussed at length. All Commissions present expressed support of such a request. Several Commissioners suggested a 1-month delay in writing the Board. Two members of the public gallery (Dorice Murphy and Lurilla Harris) outspokenly encouraged the Commission forthwith to insist upon a budget in order to be able to comply in good faith with the otherwise impossible-to-satisfy requirements of the Brown Act and of The City And County's new "Sunshine Ordinance."

E. Pigeon Feeding In The Panhandle: Mr. James Smith, a member of the public living near the "Panhandle" of Golden Gate Park (and who had in due





form and on a timely basis petitioned for a special agenda hearing) informed the Commission that as he put it, the Recreation And Park Commission "... is about to rescind permission to feed pigeons in the Panhandle ..." He expressed concern that neither the Recreation And Park Commission nor the Recreation And Park Department had notified or otherwise discussed this change with the Commission of Animal Control And Welfare. The Chair and several Commissioners, while agreeing that "... in the orderly and normal conduct of its deliberations about animal-oriented matters, the Recreation And Park Commission and/or the Recreation And Park Department themselves would at least have advised the Commission Of Animal Control And Welfare of any policy change involving 'care, control or welfare' of animals in the park system (as has been the case as respects feral cats), this time neither the Commission nor the Department Of Animal Care And Control had been so notified ..."

It was the sense of the Commissioners that "this time" it appeared too late for this Commission to involve itself in a matter which was clearly within the initial jurisdiction of the Recreation And Park with only "oversight" jurisdiction reposed by the Board Of Supervisors in the Commission Of Animal Control And Welfare. Several Commissioners, including the Chair and Commissioner Friedman (who is Director of the Department Of Animal Care And Control), described past and continuing cooperative working relationships between the two Commission as "... always having been without strife or substantial conflict ..." However, several Commissioners and one member of the public (Lurilla Harris) observed that the past smooth working relationships between the two Commissions appeared to have broken down lately which break-down Ms. Harris described as being "... especially strange when it is



considered that one of the ex officio Commissioners is by ordinance required to be the Manager of the Recreation And Park Department or her designate. In the case of pigeon-feeding in Golden Gate Park Ms. Harris pointed out that " ... Recreation And Park's present Commissioner-designate was - of all people - the Avian Curator at the Zoo ..."

The Chair was directed by the Commission to write the President of the Recreation And Park Commission to re-establish the past working protocol between the two Commissions.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(NONE - OTHER THAN INCLUDED IN AGENDA ITEM #5)

7. HEARINGS

(NONE)

8. ADJOURNMENT

The March 9, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 7:30 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, April 13, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: March 10, 1994

**MARK SCOTT HAMILTON**

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Mark Scott Hamilton  
Chairperson

(Continue To Attached EXHIBIT A)





## Bay Area Agency Fees

FEES2.XLS

DAYS	Adoption Altered	Adoption Unaltered	Redemption # Impounds	License Altered	License Unaltered	S/N Deposit	Keep Per Day	Owner Surrender	Owner Req. Euth
S.F.	3	3	10	5	5	20	2	0	0
Fremont	15	*25/40	20	**8/12/14	**16/24/28	*10/25	5	20	20
Hayward	12	*18.5-46	15	0	0	0	3	0	0
Marin	12	12	0	0	0	20	5	20	35
Oakland	12	12	25/50/75	0	0	0	5	0	0
P.H.S.	12	10	15/25/50	5	15	25	7	10	30
Santa Cruz	10	5	0	1	1	*25/40	0	0	20
Alameda Co.	5	5	25	0	0	*15/26	7	20	20
DAYS	Adoption Altered	Adoption Unaltered	Redemption # Impounds	License Altered	License Unaltered	S/N Deposit	Keep Per Day	Owner Surrender	Owner Req. Euthanasia
S.F.	3	3	15	**6/12/18	**12/24/36	20	2	0	0
Fremont	15	15	20/40/60	**8/12/20	**16/24/28	*25/30	6	20	20
Hayward	23	*67/61	25	2	**10/--/20	0	4	0	0
Marin	20	20	35/50/75 100/125	**7/13/18	**20/39/57	30	10	20	40
Oakland	17	17	25/50/75	**5/10/13	10/20/26	0	5	0	0
P.H.S.	20	18	30/60/90	10	20	35	10	10	30
Santa Cruz	5	10	15/30/75/125	12	24	40	0	0	20
Alameda Co.	10	10	25	***3 - 22		30	7	20	20
OTHER ANIMALS	Adoption Altered	Adoption Unaltered	Redemption # Impounds	License Altered	License Unaltered	S/N Deposit	Keep P/day	Owner Surrender	Owner Req. Euthanasia
S.F.	3	3	10	0	0	0	2	0	0
Fremont	5	5	5/10/15	0	0	0	2	20	20
Hayward	***5+	***5+	15	0	0	0	3	0	0
Marin	***3/5/8 10/15/35+	***3/5/8 10/15/35+	0	0	0	0	5	5	15
Oakland	12	12	25/50/75	0	0	0	***5/10	0	0
P.H.S.	***3/5	***3/5	***5/30	0	0	***15	*1.5/5.	***10/25	***10/20/30
Santa Cruz	***2.5/3/5 7.5-->200	***2.5/3/5 7.5-->200	15/30/75/125	0	0	0	*2/4/1/5/	0	***5/10
Alameda Co.	***5-->25	***5-->25	0	0	0	0	7	20	20

\* Fees vary according to sex of animal.

\*\* Annual fee for 1-3 years

\*\*\* Fees vary according to type of animal.

Post-It™ brand fax transmittal memo 7671 # of pages ▶

To M. HAMILTON	From FRIEDMAN, CARL
Co.	Co.
Dept C A-C + W	Phone # 554-9411

EXHIBIT A





194  
MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

APRIL 13, 1994

AT

STATE BUILDING

(ROOM 1194)

DOCUMENTS DEPT.

MAY 11 1994

SAN FRANCISCO  
PUBLIC LIBRARY

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular April 13, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Dolores A. Donovan; Carl Friedman; Debra A. Fila, R.N.; Ben Gale, R.E.H.S.; Kenneth Gorczyca, F.V.M.; Sergeant William Herndon, SFPD; Roger Hoppes; Ronald Lippert, A.H.T.; and Stan Mahy.

Commissioner(s) Absent: None.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.



## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

Upon the motion of Commissioner Mahy, seconded by Commissioner Trauner, and thereafter voted upon unanimously in the affirmative (the Chairperson abstaining, there being no tie to break), the Minutes of the Commission's March 9, 1994 meeting were accepted as filed (after being corrected on their face to show presence of Commissioner-designate Ben Gale and to correct "\$20.00" to read "\$25.00" in Agenda Item 5(c) on Page 5).

## 3. CHAIRPERSON'S REPORT

The Chairperson advised the public gallery that the instant meeting would probably be lengthy based upon length of the Commission's continuing agenda and the number of persons who had requested to be heard at least one agenda item. Accordingly, the formal sign-in requirement and 3-minute limitation of the Administrative Code would be in force.

Mr. Hamilton discussed briefly the apparent recent breakdown in periodic reports from the Zoo (animal acquisitions/deaths/out-shipments) and from the Park And Recreation Department. Contact will be had with General Manager Mary E. Burns between the April and May meetings.

It was reported that copies of the adoption/euthanasia agreement reached between the Department Of Animal Care And Control and the San Francisco Society For The Prevention Of Cruelty To Animals had been sent to all Commissioners and Commissioners-designate for review.

A brief letter of April 11, 1994, from Mary E. Burns to the Commission



formalized the latter's designation of Roger Hoppes as her designate, in place of John Aikin. A copy of Manager Burns' letter is attached.

#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - Full report deferred to May meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Full report deferred to May meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman briefly outlined the main points of the agreement between his Department and the San Francisco Society For The Prevention Of Cruelty To Animals relative to planned reduction in animal euthanasia and increase in adoptable animal placement. Announcement of final agreement as respects these matters received warm acceptance from the public gallery and the Commission's congratulations. At the conclusion of Commissioner Friedman's report, the following resolution was offered by Commissioner Donovan, seconded by Commissioner Trauner and unanimously passed in the affirmative:

#### RESOLVED:

"The Commission Of Animal Control And Welfare applauds the successful efforts of the San Francisco Society For The Prevention Of Cruelty To Animals and the Department Of Animal Care And Control in reaching agreement relative to the management and placement by adoption of stray animals within the boundaries of the City And County Of San Francisco."





4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Roger Hoppes - Full report deferred to May meeting).

4(c) SPECIALLY CALENDARED MATTERS - HEARINGS

A. Euthanization/Adoption Entente: There was a more detailed discussion of the new dog-cat adoption and euthanization program between the Department Of Animal Care And Control and the San Francisco Society For The Prevention Of Cruelty To Animals. The program as outlined by Messrs. Avanzino and Friedman in the written agreement was sufficiently clear (and so manifestly satisfactory from the Commission's stand-point) that there was little additional discussion.

B. Continued "Sticky-trap" Discussion: Further discussion about suggested inhumane aspects of "sticky-trap" devices and applications (especially as respects birds and small pets) was conducted. The Chair announced that several manufacturers' representatives had been invited to the meeting to present their points of view on the subject. Representatives of several local and State-wide principal pest control operators were also in attendance to be heard. By pre-arrangement the aforementioned speakers were scheduled to be heard first, a great many persons opposed to the use of "sticky-traps" having already been heard in 3 prior meetings.

There were extensive reports from representatives of the manufacturers of the "sticky-traps" devices and users of the same among the pest control industry. These reports and presentations emphasized the apparently undisputed agreement to the effect that rats and mice are pestilential creatures whose eradication and/or control is necessary both to urban society and to



agricultural communities. It was maintained that there is little, if any, perceived danger to humans (including small children) in general use of such devices. As compared with alternative methods of rodent control (snap-traps, poisons, etc.) both animal humane considerations and human safety were perceived by the speakers as favoring continued use of "sticky-traps" to favor "sticky-traps" over the other practical, effective and traditional alternatives. Several pest control operatives suggested that even if "sticky-traps" were banned in general use the continued use thereof by state-licensed operatives should be allowed.

Richard Avanzino (of the SPCA) and many others were heard in vehement opposition of any continued sale, possession or use of such devices in the City And County Of San Francisco. Some of those members of the public gallery (in addition to those heard during several previous meetings) heard in opposition to the continued use of "sticky-traps" were the following: Sidney Dent (Sausalito); Beverly A. Boynton; Elliot Katz, D.V.M. (San Rafael); Christine Beard; and Jennifer Holdt (in addition to others).

At the conclusion of the Committee's hearing from all members of the public gallery expressing desire to be heard, the matter was carried forward to the Commission's May meeting.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None - Other Than In Agenda Item No. 5)

7. HEARINGS

(None)



8. ADJOURNMENT

The April 13, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 8:05 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, May 11, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: April 14, 1994

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', written over a horizontal line.

Mark Scott Hamilton  
Chairperson







April 11, 1994

Honorable Mark Scott Hamilton, Chair  
Commission of Animal Control and Welfare  
1200 - 15th Street  
San Francisco, CA 94103

Dear Commissioner Hamilton:

In my letter to you dated April 14, 1993, I indicated that I would have a staff member from the San Francisco Zoo serve on the Commission of Animal Control and Welfare as my designee. I also indicated that the assignment would be rotated in order to share the responsibility among Zoo personnel and to provide fresh insight to the Commission.

Effective April 13, 1994, the current designee, John Aikin, will be replaced by Roger Hoppes, who will serve for the next six months. Roger is currently the Director of Special Collections at the San Francisco Zoo, which includes managerial responsibility for the Animal Resource Center, Insect Zoo and Children's Zoo. Roger was Manager of the Children's Zoo for ten years and before that a keeper in the Children's Zoo for three years. He holds a masters in Primatology from U.C. Berkeley, and I believe he will add a valuable perspective to the work of the Commission.

Sincerely,

A handwritten signature in cursive script that reads "Mary E. Burns".

Mary E. Burns  
General Manager

MEB:ml

4164L



1/5  
MINUTES

1/ COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

7/11/94  
MAY 11, 1994

AT

STATE BUILDING

(ROOM 1155)\*

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular May 11, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1155 - State Building,\* located at 455 Golden Gate Avenue, San Francisco.

Note: At request of Building Manager, the meeting room was changed for the May meeting only from No. 1194 to No. 1155.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Dolores A. Donovan; Carl Friedman; Ben Gale; R.E.H.S.; Sergeant William Herndon, SFPD; Roger Hoppes; Matthew W. Kaplan; and Stan Mahy.

Commissioner(s) Absent: Debra A. Fila, R.N.; and, Kenneth Gorczyca, D.V.M.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" (50% of those eligible to vote) was satisfied.



The absences of Commissioners Gorczyca and Fila were excused by unanimous vote of members present.

## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

Approval of the Minutes of the Commission's April 13, 1994 meeting was deferred to the Commission's June meeting.

## 3. CHAIRPERSON'S REPORT

The Chairperson advised the public gallery that the instant meeting might be lengthy based upon the number of persons who had requested to be heard on one agenda item. Accordingly, the formal sign-in requirement and 3-minute limitation of the Administrative Code would be in force.

Chairperson Hamilton introduced Commissioner Matthew W. Kaplan (newly elected by the Board of Supervisors) to the Commission and to the public gallery.

## 4. COMMITTEE REPORTS

### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - Full report deferred to June meeting).

### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Full report deferred to June meeting).

### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - Full report deferred to June meeting).





4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Roger Hoppes - Full report deferred to June meeting).

5. SPECIALLY CALENDARED MATTERS - HEARINGS

A. Continued "Sticky-trap" Discussion: Further discussion about suggested inhumane aspects of use of "sticky-trap" devices and applications in respect of rodent control (especially as respects birds and small pets) was conducted.

Many members of the public were heard in strong opposition of any continued sale, possession or use of such devices in the City And County Of San Francisco. Some of those members of the public gallery (in addition to those heard during several previous meetings) heard in opposition to the continued use of "sticky-traps" were the following: Holly Freil (student from San Francisco State University); Michell Y. Fremount; Jennifer Holdt; Anthony Renner; and, Lurilla Harris. A particularly informative and sensitive discussion was delivered by Ms. Lise Giraud, who, although a resident of Palo Alto, felt strongly enough on the matter to attend the meeting and speak at considerable length.

At the conclusion of the Committee's hearing from all members of the public gallery expressing desire to be heard, the matter was carried forward to the Commission's June meeting.

Commissioner Friedman inquired of Commissioners whether it would be their sense to direct the Chairperson to direct a letter to the Board of Supervisors calling the Board's attention to the "glue trap" problem and suggesting that it discourage concerned City And County departments from using the "glue trap" devices.



The sense of the Commissioners appearing to support Commissioner Friedman's suggestion, the Chairperson Committed himself to draft such a letter (in consultation with Commissioner Kaplan) for further Commission attention and action at its June meeting.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None - Other Than In Agenda Item No.5)

7. HEARINGS

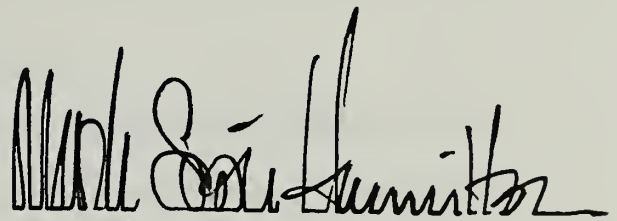
(None)

8. ADJOURNMENT

The May 11, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 7:45 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, June 8, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: May 12, 1994

A handwritten signature in black ink, appearing to read 'Mark Scott Hamilton', written over a horizontal line.

Mark Scott Hamilton  
Chairperson



SF  
MINUTES

COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

JUNE 8, 1994

AT

STATE BUILDING

(ROOM 1194)

1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular May 11, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Dolores A. Donovan; Debra Fila, R.N.; Carl Friedman; Ben Gale, R.E.H.S.; Sergeant William Herndon, SFPD; Roger Hoppes; and Stan Mahy.

Commissioner(s) Absent: Kenneth Gorczyca, D.V.M.; and, Matthew W. Kaplan.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" (50% of those eligible to vote) was satisfied.

The absences of Commissioners Gorczyca and Kaplan (the former on vacation, and the latter due to recent surgery) were excused by unanimous vote of members present.





(Moved by Vice-Chairperson Trauner and seconded by Commissioner-designate Herndon).

## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

Commissioner Mahy (seconded by Commissioner Trauner) moved for approval of the Minutes of the Commission's April 13 and May 11, 1994 meetings. Vote on the issue was unanimous.

## 3. CHAIRPERSON'S REPORT

The Chairperson reported concerning Commissioner Kaplan's recent surgery and steady recovery.

Also, it was reported that a letter communication to the Board Of Supervisor's concerning the Commission's urgent need for a modest budget allowance would go forward in a text read within the next week. A copy of the final letter will be attached to the Minutes of the Commission current (June) meeting.

## 4. COMMITTEE REPORTS

### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - Full report deferred to July meeting).

### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Full report deferred to July meeting).

### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - Full report deferred to July meeting).



4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Roger Hoppes - Full report deferred to July meeting).

5. SPECIALLY CALENDARED MATTERS - HEARINGS

A. Continued "Sticky-trap" Discussion: There was further discussion about what the Commission perceived as being the inhumane aspects of use of "sticky-trap" devices and applications in respect of rodent control (especially as respects birds and small pets).

There followed extensive open Commission discussion concerning the form, text and manner of transmission of a formal communication on that subject from the Commission to the Board of Supervisor's (via the Clerk thereof). Ultimately, the text of a letter from the Commission to the Board of Supervisors was agreed upon after numerous modifications. Commissioner Friedman moved that the form and content of the Commission's letter as modified be transmitted to the Board of Supervisor's via its Clerk. Vice-Chairperson Trauner seconded the Friedman motion to the effect that the communication go forward, but abstained as to the full text thereof. Commissioners unanimously approved the sending of the letter to the Board, and with the exception of Vice-Chairperson Trauner's abstention, as to the full substance of the text thereof all other Commissioners present approved the text. The Chairperson was thereupon directed to transmit the letter and to append a copy thereof to the Minutes of the present (June) meeting.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None - Other than in Agenda Item No. 5)



7. HEARINGS


(None)

8. ADJOURNMENT

The June 8, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 7:00 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, July 13, 1994, in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: June 24, 1994

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson





San Francisco Commission of Animal Control and Welfare



City Hall  
San Francisco, California 94102  
(415) 552-1898

June 23, 1994

Members Of The Board Of Supervisors  
City And County Of San Francisco  
City Hall - Room 235  
San Francisco, California 94102

Attention: John Taylor, Clerk Of The Board

Re: Proposed Board Action Re Glue ("Sticky") Traps

Honorable Supervisors:

Following several months of hearings and extensive public testimony, your Commission For Animal Control And Welfare recommends that by appropriate procedure the Board of Supervisors take the following action with respect to the use of glue ("sticky") traps:

1. That all Departments of the City And County Of San Francisco be encouraged neither to use nor recommend the use of glue traps for any purpose other than their intended use, i.e., the entrapment of rodents and insects;
2. That when practical, Departments of the City And County Of San Francisco themselves should refrain from use of glue traps for rodent control in City And County buildings and other properties; and,
3. That Departments of the City And County Of San Francisco should, when practical, expressly discourage use of the glue traps in responding to inquiries concerning rodent-trapping received from members of the public.

The foregoing recommendations are made based upon this Commission's finding that use of glue traps is demonstrably inhumane and potentially harmful to species not intended to be caught therein. However, several Commissioners felt that despite the obvious cruelty of the glue traps devices, such traps should not be withdrawn from use or their use prohibited by ordinance, considering the perceived gravity of the rodent control problem and the apparent absence of effective humane alternatives. Nevertheless, a majority of Commissioners voting on the issue supported all three of the above recommendations.



The Commission has made inquiry of several concerned Departments routinely confronted with rodent infestation problems and has found that those Departments for the most part already refrain from use, or recommending the use, of glue traps.

The Commission remains available to assist the Board of Supervisors further, if necessary.

Respectfully submitted,

COMMISSION FOR ANIMAL CONTROL AND WELFARE

**MARK SCOTT HAMILTON**

By \_\_\_\_\_

Mark Scott Hamilton  
Chairperson

4987:MSH:mh

cc: All Commissioners



MARK SCOTT HAMILTON

BOX 884052  
SAN FRANCISCO  
94188

June 15, 1994

Dear John:

We spoke by phone concerning this matter about a year ago (then involving the Commission's perceived Brown Act deligencies).

I imagine your quick mind will surmise out of whose pocket the Commission's expenses have been coming for the last 3½ years! It simply cannot go on.

At a recent Rules Committee meeting two members of the public (without prompting from the Commission) raised the funding issue. (As Commission Chair, I was present to answer Board Members inquiries about commissioner candidates). The Chairperson asked me if any budget matter was on the Rules Committee agenda for that day. Of course it was not. The Chairperson suggested the Commission contact you.

Help! Help!

With my best personal regards, I am,

Respectfully,



Mark Scott Hamilton

4987:MSH:mh

Honorable John Taylor  
Clerk, Board of Supervisors  
City Hall - Room 235  
San Francisco, California 94102





San Francisco Commission of Animal Control and Welfare



City Hall  
San Francisco, California 94102  
(415) 552-1898

June 15, 1994

Honorable John Taylor  
Clerk, Board of Supervisors  
City Hall - Room 235  
San Francisco, California 94102

Dear Mr. Taylor:

This Commission presently operates unfunded.

Our annual clerical expense runs to several thousands of dollars. Presently all secretarial, stationery, postage, copy and related costs are defrayed by Commissioners at large. We feel you will agree that this situation cannot be allowed to continue.

Members of the public who routinely attend our meetings are properly critical of the Commission's inability to operate otherwise than in apparent violation of the Sunshine Ordinance in particular and, no doubt, of the Brown Act and of the very ordinance which established the Commission itself.

At its June 8 meeting it was the unanimous sense of Commissioners present that without a clerical budget, the Commission For Animal Control And Welfare cannot continue to meet and otherwise to conduct business without doing so in violation of reportorial and related requirements of the Sunshine Ordinance. Commissioners at large are properly concerned about their liability in the premises.

May we have your direction and counsel on this matter of urgency?

Respectfully,

COMMISSION FOR ANIMAL CONTROL AND WELFARE

By

A handwritten signature in dark ink, appearing to read "Mark Scott Hamilton".

Mark Scott Hamilton

4987:MSH:mh

cc: All Commissioners

Chairperson

By Direction



15F  
MINUTES

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11/3/94  
COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

JULY 13, 1994

AT

STATE BUILDING

(ROOM 1194)

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular July 13, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Dolores A. Donovan; Debra Fila, R.N.; Carl Friedman; Ben Gale, R.E.H.S.; Kenneth Gorczyca, D.V.M., Sergeant William Herndon, SFPD; Roger Hoppes; Matthew W. Kaplan; and, Stan Mahy.

Commissioner(s) Absent: All 11 Commissioners or Commissioners-designate present.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" (50% of those eligible to vote) was satisfied.



All Commissioners or Commissioners-designate being present, there was no need to excuse absence(s).

2. APPROVAL OF THE MINUTES  
OF THE NEXT-PRIOR MEETING.

Commissioner Mahy (seconded by Commissioner Friedman) moved for approval of the Minutes of the Commission's June 8, 1994 meeting. Vote on the issue was unanimous.

3. CHAIRPERSON'S REPORT

The Chairperson reported briefly concerning the informal "appeal" of San Francisco resident Scott Burry to the Commission's Adoption Mediation (Appeal) Committee as respects refusal of his application to adopt a young poppy. The Chairperson reported that, although not a member of the concerned Committee and did not participate in the Committee's undertaking or deliberation, he himself attended all aspects of the aforesaid proceedings except the Committee's in camera deliberations and preparation of the Committee's report. One member of the public was present, Mr. Burry, although he himself had asked the Committee to consider his "appeal," was not present, but had arranged to have his interests represented and his contentions stated by Attorney Duncan Malcolm McNeill. Commissioner Dolores D. Donovan, regular Chair of the concerned Committee, was unavailable. The Committee was therefore chaired on a pro tempore basis by Commissioner Dolly B. Trauner assisted by Committee Members Mathew W. Kaplan and Stan Mahy.





The Commission Chairperson then called upon Commissioner Trauner for report of the Committee's mediation/appeal efforts. Mrs. Trauner read a written mediation decision report into the record and asked that that 1-page report be attached to and made a copy of the Minutes of the Commission's July 13 meeting. All Commissioners concurring, a copy of the Committee's said report is attached to these Minutes and marked "APPENDIX A"

There followed a discussion (Commissioners only) of the Committee's proceedings, its decision and the general basis therefor. All 3 concerned Committee Members spoke to the issue, each stressing that the Committee's "decision" was informal, non-binding and an effort directed towards mediating the subject dispute. Commissioner Friedman spoke at some length concerning his Department's views in the matter. There was no public discussion offered. Neither Mr. Scott Burry nor his attorney was present. Commissioner Trauner closed the Committee's report by stressing that the Committee's "... determination ... (was based) ... exclusively upon considerations for the best and humane interests of the young dog ..."

#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - Full report deferred to August meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - Full report deferred to August meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman - Full report deferred to August meeting).



4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Roger Hoppes -  
Full report deferred to August meeting).

5. SPECIALLY CALENDARED MATTERS - HEARINGS

The only specially calendared matter was preliminary discussion of the written request (received from a member of the public residing outside the City And County Of San Francisco) that the matter of cat licensing be placed on the Commission's continuing agenda of matters to be specially calendared. That matter was thereupon continued for further discussion to the Commission's August meeting agenda with a request from the Chair that the Director of the Department Of Animal Care And Control and the representative of the Society For Prevention Of Cruelty To Animals be present at that time for discussion. There was no public discussion offered.

6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

(None - Other than in Agenda Item No. 5)

7. HEARINGS

(None)

8. ADJOURNMENT

The July 13, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 6:45 p.m., in accordance with the unanimous sense of all Commissioners present.



The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, August 10, 1994, in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: July 14, 1994

**MARK SCOTT HAMILTON**

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Mark Scott Hamilton  
Chairperson





*San Francisco Commission of Animal Control and Welfare*

## Adoption Appeals Committee

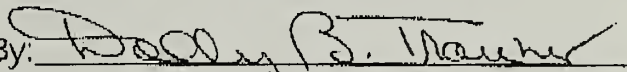
The Adoption Appeals Committee of the Commission of Animal Control and Welfare for the City and County of San Francisco met in the absence of Chairperson Dolores D. Donovan to hear statements-in-evidence and to reach a determination as respects the appeal of San Franciscan Mr. Scott Burry of the refusal by the Department of Animal Care And Control to allow him to adopt a Retriever-mix puppy, Animal ID #SS011509, then approximately twelve weeks old.

The interests of Mr. Scott Burry were represented by Duncan Malcolm McNeill, Attorney At Law. Director Friedman and three members of his staff were present on behalf of the Department of ANimal Care And Control. One member of the public was in attendance. Also present but not participating or voting as a Committee Member was Mark Scott Hamilton, Commission Chairperson.

Basing our determination exclusively upon considerations for the best and humane interests of the young dog we, the undersigned, affirm the determination of the Department of Animal Care And Control to deny the subject adoption.

Dated: June 23, 1994

Stan Mahy, Commissioner-at-large  
Matthew W. Kaplan, Commissioner-at-large  
Dolly B. Trauner, Commissioner-at-large

By:   
Dolly B. Trauner,  
Acting Chairperson

"**APPENDIX A**"



1/SF  
1/1/ MINUTES  
1/1/ COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON  
SEPTEMBER 14, 1994  
AT  
STATE BUILDING  
(ROOM 1194)

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OCT 21 1994  
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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton called the regular September 14, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1155 - State Building, located at 455 Golden Gate Avenue, San Francisco. The Commission's usual meeting place (Room 1194) was needed by another City And County Commission.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Dolores D. Donovan; Carl Friedman; Debra A. Filla, R.N.; Sergeant William Herndon, SFPD; Roger Hoppes; Matthew W. Kaplan and Stan Mahy.

Commissioner(s) Absent: Commissioner Kenneth Gorczyca, D.V.M.; and, Commissioner-designate Ben Gale, R.E.H.S. The absences of Messrs. Gorczyca and Gale were unanimously excused upon motion of Commissioner Mahy, seconded by Commissioner Friedman.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the



Commission's "Rules and Regulations" (50% of those eligible to vote) was satisfied.

### 3. CHAIRPERSON'S REPORT

The Chairperson advised Commissioners and the public gallery that the instant meeting would be shortened in deference to Commissioners, Commissioners-designate and members of the public who plan to commence celebration of the Jewish Holiday.

The Chairperson and Commissioners welcomed Commissioner Kaplan on his return from a period of surgery and recuperation.

It was also reported that the last meeting which can be held in the Commission's present meeting place (State Building Room 1194) will be that of March, 1995. The building will be razed. Accordingly, commencing with the Commission's April (1995) meeting a new and appropriate meeting place complying with requirements of applicable ordinance must be found.

The Chairperson reported that the attorney for Mr. Scott Burry had written to request a formal written "statement of facts" as respects the June 23 decision of the Commission's Adoption Mediation (Appeal) Committee (supporting the decision of the Department Of Animal Care And Control not to approve Mr. Burry's adoption of a specific poppy of tender age). (For discussion of the matter which received Committee review, see Minutes of the Commission's July 13, 1994 meeting. It was the UNANIMOUS sense of Commissioners present that no such statement as requested need be provided (Commissioners Trauner, Friedman, Kaplan and Mahy abstaining due to their participation in





the concerned Committee's proceedings).

#### 4. DEPARTMENT REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD).

Report deferred to October meeting, except to report that SFPD has requested an opinion and guidance from the Office Of The City Attorney as respects conduct of the existing "dog bite ordinance."

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S., Absent. Report deferred to October Meeting).

##### 4(c) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Roger Hoppes)

Report deferred to October meeting, except to report that the Zoo is almost ready to re-open fully. There will be a newly organized Feline Conservation Center housing 13 varieties of smaller cats. It was further reported that the remaining gorillas are "still making adjustments" caused by the recent demise of their longtime troupe leader, "Bwana."

##### 4(d) REPORT OF THE DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

Commissioner Friedman called the Commission's attention to a recent pamphlet circulated by the Society For The Prevention Of Cruelty To Animals explaining the new "no kill" policy introduced jointly by the Society and by the Department Of Animal Care And Control. Commissioner Friedman described the pamphlet as being "good coverage" of a program which is "good for companion animals and residents of the City And County Of San Francisco..."

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

A. Commission Clerical Budget. There was a brief continued discussion





of the fact that the Commission continues to meet and act in unavoidable violation of some requirements of State and local law - notably, requirements as to publication of Minutes, agendas and quarterly reports and formal response to public enquiries received otherwise than in the course of open meetings (e.g., by letters, phone calls, etc.)

All Commissioners received copies of the Chair's formal, written request to the Clerk of the Board Of Supervisors on this subject and of the latter's reply.

It was the sense of the Commission that its Chairperson should appoint an ad hoc committee to establish the budget needs of the Commission and to report back to the Commission at its October meeting. Accordingly, the Chair appointed a committee to consist of the Chair and Commissioners Friedman, Kaplan and Mahy.

#### 6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

There was a short enquiry by Ms. Jone Wilson about the pros and cons of oral birth control medications for companion animals - notably, dogs. Ms. Wilson referred to information she received on the subject from a friend in Norway. Ms. Wilson was referred to her private veterinarian for counsel on that technical subject, especially in the absence of Commissioner Kenneth Gorczyca, D.V.M.

#### 7. HEARINGS

(NONE)



8. ADJOURNMENT

The September 14, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 6:45 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, October 12, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: September 15, 1994

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson



SF  
MINUTES  
COMMISSION OF ANIMAL CONTROL AND WELFARE MEETING

ON

OCTOBER 12, 1994

AT

STATE BUILDING

(ROOM 1194)

DOCUMENTS DEPT.

NOV 15 1994

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1. CALL TO ORDER AND ROLL CALL

Commission Chairperson Mark Scott Hamilton convened the regular October 12, 1994 meeting of the Commission Of Animal Control And Welfare to order at 5:30 p.m., in Room 1194 - State Building, located at 455 Golden Gate Avenue, San Francisco.

Commissioners In Attendance: Chairperson Mark Scott Hamilton; Vice-Chairperson/Secretary Dolly B. Trauner; Commissioners or Commissioners-designate Dolores A. Donovan; Carl Friedman; Ben Gale, R.E.H.S.; Sergeant William Herndon, SFPD; Roger Hoppes; Matthew W. Kaplan; and Stan Mahy.

Commissioner(s) Absent: Debra A. Fila, R.N.; and, Kenneth Gorczyca, D.V.M.

The meeting convened at 5:30 p.m. Commission Chairperson Hamilton presided during all aspects of the meeting.

More than six Commissioners (or their lawful designates) holding valid appointments being present, the quorum requirement of Section 6 of the Commission's "Rules And Regulations" (50% of those eligible to vote) was satisfied.





The absences of Commissioners Gorczyca (absent on animal business) and Fila (ill) were excused by unanimous vote of members present upon motion of Commissioner-designate Gale seconded by Commissioner Mahy.

## 2. APPROVAL OF THE MINUTES OF THE NEXT-PRIOR

Approval of the Minutes of the Commission's September 14, 1994 meeting was unanimously carried upon motion of Commissioner Mahy seconded by Commissioner Friedman (after correction of the spelling of the word "puppy" on the fifth from last line of Page 2 thereof).

## 3. CHAIRPERSON'S REPORT

The Chairperson advised the public gallery that the instant meeting would probably be abbreviated based upon the fact that there were no specially calendared agenda items on only one matter proposed for public discussion.

The Chairperson advised the Commission of his potential absence for the Commission's regular November 9 meeting. If present, Vice-Chairperson/Trauner will preside. In Commissioner Trauner's absence the Commission shall appoint one of its number to act temporarily as Chairperson (Article III, Section 3).

The matter of a clerical budget for the Commission was discussed. The Commissioner's 1-page "Proposed Budget" is attached to these Minutes. It was the sense of the Commission that formal proposal of its "Proposed Budget" to the Board Of Supervisors should be deferred until after the November 8 election.



#### 4. COMMITTEE REPORTS

##### 4(a) REPORT OF POLICE DEPARTMENT

(Commissioner-designate Sergeant William Herndon, SFPD - report deferred to November meeting).

##### 4(b) REPORT OF DEPARTMENT OF PUBLIC HEALTH

(Commissioner-designate Ben Gale, R.E.H.S. - report deferred to November meeting).

##### 4(c) REPORT OF DEPARTMENT OF ANIMAL CARE AND CONTROL

(Commissioner Carl Friedman)

As Director of the Department Of Animal Care And Control, Commissioner Friedman presented a 1-page "Summary Of Proposed Legislation" relating to increases in specific fees collectible by his Department. A copy of the aforesaid "Summary Of Proposed Legislation" is attached hereto. It was the unanimous sense and resolution of the Commission that its Chairperson should prepare and certify a formal resolution supporting the aforesaid proposed legislative changes. A copy of the Commission's formal resolution is attached to these Minutes.

##### 4(d) REPORT OF RECREATION AND PARK DEPARTMENT

(Commissioner-designate Roger Hoppes - Full report deferred to November meeting).

#### 5. SPECIALLY CALENDARED MATTERS - HEARINGS

(None)



6. NON-CALENDARED MATTERS - PUBLIC DISCUSSION

Mrs. Neva Beach, an interested member of the public and resident of the City And County Of San Francisco, addressed the Commission concerning the run-down condition of Randall Park (a favorite upper Eureka Valley dog exercising area within the jurisdiction of the Recreation And Park Department. Commissioner-designate Roger Hoppes (representing the latter Department) undertook to report back to the Commission concerning the Randall Park matter either at the Commission's November or December meeting.

7. HEARINGS

(None)

8. ADJOURNMENT

The October 12, 1994 meeting of the City And County Of San Francisco Commission Of Animal Control And Welfare was adjourned at approximately 6:45 p.m., in accordance with the unanimous sense of all Commissioners present.

The next regular monthly meeting of the Commission will be convened at 5:30 p.m. on Wednesday, November 9, 1994 in Room 1194 - State Building, located at 455 Golden Gate Avenue.

Dated: October 13, 1994

  
Mark Scott Hamilton  
Chairperson





**PROPOSED BUDGET FOR  
COMMISSION OF ANIMAL CONTROL AND WELFARE**

				ANNUAL
				COSTS
	ONE TIME	MONTHLY	YEAR 1	AFTER
COST COMPONENT	COSTS	COSTS	COSTS	YEAR 1
SCENARIO A - Part Time City Employee				
1-1444 Secretary I - 265 hours/year	0	333	4,000	4,000
Fringe Benefits @ 25%	0	83	1,000	1,000
Personal Computer/Printer	2,000	0	2,000	0
Telephone	150	75	1,050	900
Postage (1,000/month)	0	29	348	348
Materials & Supplies	0	125	1,500	1,500
Copying Work	0	83	1,000	1,000
Miscellaneous	0	8	100	100
TOTAL SCENARIO A	2,150	737	10,998	8,848
SCENARIO B - Personal Services Contract				
Contract Services - 265 hrs @ \$17/hour	0	375	4,505	4,505
Telephone	150	75	1,050	900
Postage (1,000/month)	0	29	348	348
Materials & Supplies	0	125	1,500	1,500
Copying Work	0	83	1,000	1,000
Miscellaneous	0	8	100	100
TOTAL SCENARIO B	150	696	8,503	8,353





## ANIMAL CARE AND CONTROL DEPARTMENT

CARL FRIEDMAN  
DIRECTOR

1200 15th STREET  
SAN FRANCISCO  
CALIFORNIA 94103  
(415) 554-6364  
FAX (415) 554-9424  
TDD (415) 554-9704

### SUMMARY OF PROPOSED LEGISLATION

A) Legislation raises the following fees:

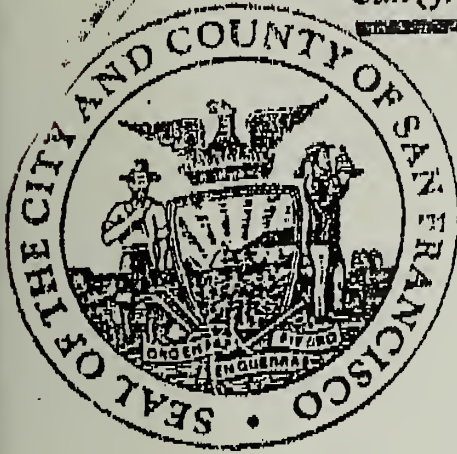
<u>Description</u>	<u>Current</u>	<u>Proposed</u>
Dog adoption	\$ 3.00	\$ 5.00
Cat adoption	3.00	5.00
Other Animal adoptions	3.00	5.00
Dog redemption	15.00	\$ 15.00*
Cat redemption	10.00	15.00*
Other Animal redemption	5.00	15.00*
*Progressive fee - second time \$30.00, third time \$45.00		
Daily Care - dogs	\$ 2.00	\$ 5.00
Daily Care - cats	2.00	5.00
Daily Care - Others	2.00	5.00
Spay/neuter deposit - cat	\$ 20.00	\$ 25.00
Spay/neuter deposit - dog	20.00	25.00

B) Legislation also authorizes Department to waive any fees for financial difficulty reasons.

C) Legislation also authorizes Department to charge adopters for the actual cost of spaying or neutering an animal while at the Animal Shelter.





**San Francisco Commission of Animal Control and Welfare**

City Hall  
San Francisco, California 94102  
(415) 552-1898

RESOLUTION No. 10/12/94 - A

WHEREAS The Commission For Animal Control And Welfare of the City And County Of San Francisco has met in several open sessions, has received testimony in open public session and has considered the matter carefully -

IT IS HEREBY UNANIMOUSLY RESOLVED and recommended that the Honorable Board Of Supervisors and Mayor Of The City And County Of San Francisco should favorably consider and act upon the "Summary of Proposed Legislation" and the 5-pages of legislative amendments proposed hereto as "EXHIBIT A" and "EXHIBIT B," respectively, and their full content incorporated herein by this reference.

Resolved In Open Session  
October 12, 1994

COMMISSION OF ANIMAL CONTROL AND WELFARE  
OF THE CITY AND COUNTY OF SAN FRANCISCO

A handwritten signature in black ink, appearing to read "Mark Scott Hamilton", written over a horizontal line.

Mark Scott Hamilton  
Chairperson

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